

THE
THIRD VOLUME
OF THE
NORTH BRITON.



D U B L I N,

Printed in the Year MDCCCLXV.

ADVERTISEMENT.

This Volume was privately printed in England, soon after the preceding two; but never published in that kingdom.



THE
NORTH BRITON.

His Majesty's Most Gracious SPEECH,
to both Houses of PARLIAMENT, on
Tuesday the 19th of April, 1763.

My Lords and Gentlemen,

I Cannot put an end to this session of Parliament without expressing my thanks for the signal zeal and dispatch which you have manifested in your proceedings, and which make it unnecessary for me to continue it any longer.

I informed you, at our first meeting, that preliminary articles were signed by my Minister, and those of France and Spain. I ordered them to be laid before you; and the satisfaction which I felt at the approaching re-establishment of peace, upon conditions so honourable to my crown, and so beneficial to my people, was highly increased, by my receiving from both Houses of Parliament, the strongest and most grateful expressions of their entire approbation. These articles

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have been established, and even rendered more advantageous to my subjects, by the Definitive Treaty ; and my expectations have been fully answered, by the happy effects which the several allies of my crown have derived from this salutary measure. The powers at war with my good brother the King of Prussia, have been induced to agree to such terms of accommodation, as that great prince has approved ; and the success which has attended my negotiation, has necessarily and immediately diffused the blessings of peace through every part of Europe.

I acquainted you with my firm resolution, to form my government on a plan of strict *economy*. The reductions necessary for this purpose shall be compleated with all possible expedition : and although the army maintained in these kingdoms will be inferior in number to that usually kept up in former times of peace, yet I trust that the force proposed, with the establishment of the national Militia (whose services I have experienced, and cannot too much commend) will prove a sufficient security for the future.

Gentlemen of the House of Commons,

I have seen, with the highest concern, the great anticipations of the revenue,
and

and the heavy debts unprovided for, during the late war, which have reduced you to the unhappy necessity of imposing further burthens upon my people. Under these circumstances, it is my earnest wish to contribute, by every means, to their relief. The utmost frugality shall be observed in the disposition of the supplies which you have granted; and when the accounts of the money, arising from the sale of such prizes as are vested in the crown, shall be closed, it is my intention to direct, that the produce shall be applied to the public service.

My Lords and Gentlemen,

The extension of the commerce of my subjects; the improvement of the advantages we have obtained, and the increase of the public revenue, are the proper works of peace. To these important and necessary objects my attention shall be directed. I depend upon your constant care to promote, in your several counties, that spirit of concord, and that obedience to Law, which is essential to good order, and to the happiness of my faithful subjects. It is your part to discourage every attempt of a contrary tendency: it shall be mine, firmly to maintain the honour of my crown, and to protect the rights of my people.

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JOURNALS of the House of Commons,
Vol. 18. p. 214.

Jovis 7^o die Julii.

Anno 1^o Georgii Regis, 1715.

Articles of Impeachment of High Treason, and other high crimes and misdemeanors, against Robert Earl of Oxford and Earl Mortimer.

ARTICLE XV.

THAT whereas the dignity and support of the Imperial Crown of these realms has, in all ages, greatly depended on the wisdom and truth of the communications made from the throne, especially in Parliament, as the sure and only means, whereby the Kings and Queens of this realm can receive the sincere and faithful advice of their people in matters of the highest importance; and which, by the fundamental laws and constitution of this government, ought to be inviolably observed, as the sacred band of the duty and affection of subjects to their sovereign.

And whereas, by the most antient and known laws of this kingdom, it is indispensably incumbent on the great officers
of

of state, that surround the throne, to maintain, as far as in them lies, the sacredness of the royal word, on all occasions ; it being most apparent, that the greatest dishonour to the throne, and the greatest danger to these kingdoms, must inevitably ensue, whenever that fountain of truth, by wicked counsels, shall be in any degree corrupted, and thereby lose its just influence, and necessary authority :

And whereas the power of making peace and war, one of the ancient, undoubted, and most important, prerogatives of the crown, has been always exercised by the sovereigns of these realms, with the strictest regard to the honour of the crown, and the welfare of the people ; and, for that end, they have, in great wisdom, in all ages, taken the advice of Parliament on such weighty occasions :

And whereas her late Majesty Queen Anne declared, from the throne, her gracious intention to communicate the terms of peace to her parliament, for their deliberate and serious advice therein ; wisely foreseeing, that the safety of her person and government, of the Protestant succession to the crown, which she had nearest her heart, and of the protestant religion,

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religion, and the liberties of Europe, did inevitably depend on the happy conclusion of the said negotiations :

He, the said Robert Earl of Oxford and Earl Mortimer, then Lord High Treasurer of Great Britain, having taken on himself, through the said negotiations, a most arbitrary and unwarrantable authority, and the chief direction and influence in her Majesty's councils ; and most wickedly designing to prostitute the honour of the crown, and the dignity of parliaments, and not only totally to deprive her Majesty of the wholesome and necessary advice of her parliament in so great a conjuncture, but, by misrepresenting the most essential parts of the negotiations of peace, to obtain the sanction of parliament to his traiterous proceedings, and thereby fatally to deceive her Majesty, her allies, her parliament, and her people :

He, the said Robert Earl of Oxford and Earl Mortimer, was not only wanting in the discharge of that duty to his sovereign, which became his high station, by not advising against, and, as far as in him lay, in all events, by not preventing, even any intimation from the throne to the parliament, which was not conformable to the exactest truth and impartiality ;

lity; but taking advantage of his ready access to her Majesty, and his exorbitant influence in her councils; did prepare, form, and concert, together with other false and evil counsellors, several speeches and declarations to be made by her Majesty from the throne to her parliament, on the subject of the said negotiations of peace; and did advise her Majesty to make the same to her parliament; and particularly, by means of his false and evil counsels, her Majesty did, amongst other things, on the 7th of December 1711, declare from the throne, in the words following; “ That, notwithstanding the arts of those who delight in war, both place and time are appointed for opening the treaty of a general peace; our allies, especially the States General, whose interest I look upon as inseparable from my own, have, by their ready concurrence, expressed their confidence in me :”

Whereas it was then notorious to all Europe, and the said Robert Earl of Oxford and Earl Mortimer, and others his accomplices, well knew, that the principal allies of her Majesty, and particularly the States General, then had, in the strongest and most pressing manner, represented, not only to her Majesty’s mi-

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nisters in Holland, but afterwards, by a
 minister of their own, directly to her
 Majesty, the insecurity and danger to the
 common cause, by entering into general
 negotiations with France, on the propo-
 sitions signed by Monsieur Mesnager ;
 and also their firm opinion of the fatal
 consequences that might ensue thereon :
 And although they had still great appre-
 hensions concerning the method of open-
 ing the conferences, and the consequen-
 ces that might happen thereupon ; yet,
 being wrought on by the menaces, and
 other extraordinary methods used with
 them by her Majesty's ministers, and re-
 lying on the solemn assurances and decla-
 rations of her Majesty, to support the in-
 terests and concern of their state, and to
 act in perfect confidence and harmony
 with them, they did at last, with the
 greatest reluctance, consent to enter up-
 on a general negotiation of peace with
 France : And, in the same speech, her
 Majesty was prevailed on, by the evil
 counsels of him, the said Robert Earl of
 Oxford and Mortimer, and others, to
 declare, in the words following ; " That
 " the princes and states, which have been
 " engaged with us in this war, being,
 " by treaties, intitled to have their se-
 " veral interests secured at a peace, I
 will

“ will not only do my utmost to procure
 “ every one of them all reasonable satisfac-
 “ tion : but I shall also unite with
 “ them, in the strictest engagements, for
 “ continuing the alliance, in order to
 “ render the general peace secure and
 “ lasting :” And, in her message, of the
 17th of January following, her Majesty
 again expresses the care she intends to
 take of all her allies, and the strict union
 in which she proposed to join with them :

Whereas, by the evil influence of him,
 the said Robert Earl of Oxford and Earl
 Mortimer, her Majesty was not only in-
 duced to enter into a private negotiation
 with France, exclusive of her allies : but
 the same was, in like manner, carried on
 by him, the said Robert Earl of Oxford
 and Earl Mortimer, and others ; and the
 several interests which the allies were in-
 titled to by their treaties, were not only
 not secured to them by the peace, nor any
 reasonable satisfaction given to them ; but
 the main interests of her principal allies,
 especially of his Imperial Majesty, were,
 by the wicked practices of him, the said
 Robert Earl of Oxford and Earl Mor-
 timer, and others, given up to France ;
 and no engagements were obtained for
 continuing the alliance, in order to ren-
 der the general peace secure and lasting.

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And, her Majesty having, on many former occasions, expressed her resolution, never to make peace with France and Spain, so long as Spain and the West Indies, remained in the House of Bourbon, she was prevailed upon, by the advise of him, the said Robert Earl of Oxford and Earl Mortimer, and others, to declare herself, in answer to an address of the House of Peers, of the 11th of December 1711, to the effect following, viz. “ I should be sorry any one could
“ think, I would not do my utmost to
“ recover Spain and the Indies, from the
“ house of Bourbon :”

Whereas it is most manifest, that the leaving the kingdom of Spain, and the Indies, in the house of Bourbon, was the foundation of the private and separate treaty between Great Britain and France, which had been before that time signed, even with her Majesty's consent ; and the same fundamental resolution was immutably observed between them, to the conclusion of the peace : And her Majesty having frequently declared from the throne, that her resolutions in entering into the said negotiations were, to obtain a general, good, and lasting peace ; and the plenipotentiaries at Utrecht being instructed to treat with France, conformably
to

to that end ; he, the said Robert Earl of Oxford and Earl Mortimer, in order to remove the just suspicions which had been conceived of his private and separate negotiations with France, did advise her Majesty to make this further declaration, in her said message, of the 17th of January ; “ That the world will now see
 “ how groundless those reports are, which
 “ have been spread abroad by men of
 “ evil intentions, to serve the worst designs, as if a separate peace had been
 “ treated ; for which there has not been
 “ the least colour given :”

Whereas a private and separate negotiation had been carried on, for five months together, between England and France ; and, during that time, private propositions had been sent from England, and a private treaty with a minister of France signed, even by her Majesty’s privacy, exclusive of all the allies, before the said declaration made by her Majesty ; and private and separate measures were thenceforth carried on by the said Robert Earl of Oxford and Earl Mortimer, and his accomplices, on behalf of her Majesty, with the ministers of France, even to the conclusion of the peace.

Her

Her Majesty was further prevailed on, by the wicked advice of him, the said Robert Earl of Oxford and Earl Mortimer, in her speech, of June the 6th, 1712, to declare, “ That, to prevent
 “ the union of the two crowns, she would
 “ not be content with what was speculative; but insisted on something solid.” And in the said speech, to the effect following, viz. “ The nature of the proposal for the renunciation is such, that it
 “ executes itself; and France and Spain
 “ are thereby more effectually divided
 “ than ever :”

Whereas the ministers of France had, before that time, assured the ministers of her Majesty, that, to accept of the expedient proposed on her Majesty’s behalf, would be to build on a sandy foundation; and that the renunciation would be null and void by the fundamental laws of France; and that they would deceive themselves, who accept it as an expedient to prevent the union of the two crowns :

And not only in the particulars before-mentioned, but in many others contained in the said several speeches and messages, made, and sent to her parliament, even while the said negotiations of peace with France were depending, the most essential

tial points relating to peace and commerce, and which concerned the interests as well of the allies as of Great Britain, were grossly misrepresented.

By all which wicked, treacherous, and unexampled evil counsels, he, the said Robert Earl of Oxford and Earl Mortimer did most basely, ungratefully, and scandalously, abuse the favour of his royal mistress ; and by means of her authority, did mislead her parliament into groundless and fatal resolutions ; and thereby not only prevented the just advice of the parliament to her Majesty on that critical juncture, but obtained the approbation of parliament to his mysterious and dangerous practices ; and did not only deprive her Majesty of the confidence and affection of her allies, but exposed her Majesty, and her people, to the contempt of the common enemy.

His

His Majesty's (King GEORGE I.) most
Gracious SPEECH to both Houses of
Parliament, on Tuesday, the 17th of
January, 1726.

My Lords and Gentlemen,

I Acquainted you, last year, with the
treaties of peace and commerce concluded between the Emperor and the King of Spain. As that sudden and unaccountable conjunction gave, at the first appearance, just grounds of jealousy and apprehension to the neighbouring powers of Europe: the subsequent proceedings and transactions in those two courts, and the secret and offensive alliances concluded between them about the same time, have laid the foundations of a most exorbitant and formidable power; and are so directly levelled against the most valuable and darling interests and privileges of this nation, that we must determine either tamely to submit to the peremptory and unjust demands of the King of Spain, in giving up Gibraltar, and patiently to acquiesce in the Emperor's usurped and extended exercise of trade and commerce; or must resolve to be in a condition to do ourselves justice, and
to

to defend our undoubted rights against these reciprocal engagements, entered into in defiance and violation of all national faith, and the most solemn treaties.

I have likewise received informations, from different parts, on which I can intirely depend, that the placing the Pretender upon the throne of this kingdom is one of the articles of the secret engagements : and if time shall evince, that the giving up the trade of this nation to one power, and Gibraltar and Portmahon to another, is made the price and reward of imposing upon this kingdom a popish Pretender ; what an indignation must this raise in the breast of each Protestant Briton !

Nor were these fatal combinations confined to those parts of the world alone ; but they extended themselves into Russia : And, had not the designs of that court against some of their neighbours been prevented by the seasonable arrival of our fleet in those seas, a way had been opened for invading these kingdoms, and giving a powerful assistance to any attempt to be made from other quarters.

Such circumstances would not suffer me and my allies, among whom there has been, and is, the most perfect harmony, union, and concert, to be idle spectators,

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tors, and regardless of our own safety, and the common cause of Europe : For which purpose, his Most Christian Majesty has been at a great expence, this last year, in augmenting his forces ; and the States General, sensible of the imminent danger, have not only acceded to the defensive alliance concluded at Hanover, but have come to strong and seasonable resolutions for an extraordinary augmentation of their forces, both by sea and land: The accession of the crown of Sweden is in such a forwardness, and the negotiations with the crown of Denmark are so far advanced, that we may reasonably depend upon the success and good effect of them.

This short view of the present posture of affairs will, I am confident, not only secure to me the support and assistance of my parliament in carrying on this great and necessary work, in conjunction with my allies, but justify the measures hitherto taken, and the expences already made.

The confidence you reposed in me last year, has been made use of for the benefit of the public ; and as the chief article of exceedings has, by my equipping, and sending to sea, three considerable squadrons, fallen upon the head of the Navy, I am persuaded the necessity of the services,

vices, and the security, advantage, and glory, that has accrued to this nation from those squadrons, will sufficiently speak for themselves, as long as both friends and foes, with joy or concern, confess they have seen and felt the effects of the naval power of Great Britain.

It is not to be wondered at, that the princes engaged in these enterprizes are very much disturbed to see their projects rendered abortive. The King of Spain, impatient of the disappointments he has met with, can no longer disguise that enmity to us, which for some time he has only waited for a favourable opportunity to declare: He has now ordered his minister residing here to depart immediately from this country, leaving a memorial that is little short of a declaration of war; wherein he again demands, and insists upon, the restitution of Gibraltar: He does not himself deny the offensive alliance, nor his engagements to support the Ostend company: He makes my recalling those squadrons, which his conduct had put me under a necessity of sending to the West Indies, and the coast of Spain, the condition of any further correspondence between the two crowns; and, supposing the continuance of my
fleets

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fleets abroad to be actual hostilities; threatens to repel them with force, to the utmost of his power :

But, not content with these menaces, insults, and infractions of treaties, his Catholic Majesty is now making preparations to attack and besiege Gibraltar ; and, in order to carry on that service, or to cover another design, has assembled a great body of troops in that neighbourhood : But as the present state and condition of that garrison, with the reinforcements I have ordered thither, give me little cause to apprehend, or my enemies to hope for, success in that undertaking ; the certain and undoubted intelligence I have, that it is now resolved to attempt an Invasion upon these kingdoms, in favour of the Pretender, by an embarkation from the coast of Spain, gives me reason to believe, that, though the siege of Gibraltar may probably be undertaken, the public avowed, and immense, preparations made for that purpose are chiefly calculated to amuse the world, and to disguise the intended invasion ; which I am surely informed, has been for some time agreed to be the first step and beginning of the long premeditated rupture.

Gentle.

Gentlemen of the House of Commons,

These considerations must awaken in you all such a sense of our common and immediate danger, as will, I doubt not, inspire you with a zeal and chearfulness in raising the supplies necessary for the defence of your country, and for making good our engagements with our allies.

I received too much satisfaction from the happiness of my people in their full enjoyment, and future prospect of peace, ease, and prosperity, not to be sensibly affected with these new convulsions ; and the unavoidable necessity I am under of asking larger supplies of my people, and of desiring to be enabled to make such an augmentation of my forces, by sea and land, as the present exigency of affairs requires.

I will order the proper estimates to be laid before you, and such treaties as I have made with foreign princes for the hire of foreign troops ; and as the expence I was, last year, in a particular manner, entrusted to make, has amounted to no considerable sum, and the public utility may again require the like services to be performed, I hope you will again repose the same trust and confidence in me.

It

It is with great pleasure that I see the time so near approaching, when such a considerable addition will be made to the sinking fund : Let all that wish well to the peace and quiet of my government, have the satisfaction to see that our present necessities shall make no interruption in the progress of that desirable work of gradually discharging the national debt : I hope, therefore, you will make a provision for the immediate application of the produce of the sinking fund to the uses for which it was so wisely contrived, and to which it now stands appropriated.

My Lords and Gentlemen,

I have had no thoughts of making any acquisitions to any part of my dominions : My whole care and concern has been, to preserve and maintain the undoubted rights and privileges of my people : And therefore all my measures have been preventive and defensive : But such endeavours being now rendered impracticable, vigorous resolutions, and a speedy execution of them, can alone put an effectual end in the dangers that surround us : However hazardous and desperate the enterprizes formed against us may appear to be ; your being assured, that they are resolved upon, will, I am persuaded, be
suffi-

sufficient to prevail upon you to put yourselves in a condition to resist and defeat them.

If preserving a due balance of power in Europe ; if defending the possessions of the crown of Great Britain, of infinite advantage and security to our trade and commerce ; if supporting that trade and commerce against dangerous and unlawful encroachments ; and if the present establishment, the religion, liberties, and properties, of a protestant people, are any longer considerations worthy of the care and attention of a British parliament ; I need say no more to incite my loyal and faithful houses of parliament to exert themselves in the defence of all that is dear and valuable to them.

JOUR-

JOURNALS of the HOUSE of
COMMONS, Vol. XX. P. 798.

A MEMORIAL presented to his Majesty,
on Thursday the 2d of March, 1726,
by Monsieur DE PALM, the Imperial
Resident.

Most Serene and Most Potent King,

AS soon as your Majesty's speech, made
to the States of the kingdom of
Great Britain, now assembled in parlia-
ment, came to the ears of his Imperial
and Royal Catholic Majesty, my most
gracious master, he wondered above mea-
sure, by what means your Majesty could
suffer yourself to be induced to declare
from the royal throne, to this renowned
nation, in a manner hitherto unheard of,
as certain and undoubted, some things
distorted in that speech, to the worst
sense; others as far distant as possible
from the meaning of his Imperial and
Catholic Majesty; and, lastly, others,
which strike deeper, even destitute of all
foundation.

For, as to what concerns the peace
made at Vienna with the Most Serene
King of Spain: Who would not be asto-
nished

nished to have that very peace grounded on the Quadruple Alliance of London, and others made with your Majesty, as on the only and most solid basis ; and for the obtaining whereof your Majesty yourself carried on, together with your allies, so bloody, and so long, and not inglorious a war ; for which your Majesty yourself laboured much ; now to be pretended as a just cause of complaint ; and to be taken as a handle for those things, which have hitherto been done by your Majesty's ministers in all parts, to the highest detriment to the Emperor and Empire, and of the public tranquility ; and that they could have been declared by your Majesty to the people of Great Britain, with so much invidiousness towards the Emperor, and the King of Spain, as a violation of the treaties.

After the peace of Vienna, the other treaty accused is that of commerce made with Spain, and framed for promoting the lawful advantages of the subjects of each ; which, as it is conformable to the law of nations, and to the usages of people in amity ; and, in all parts, is innocent with respect to the British nation, whether the situation of the provinces, or the nature of the commerce itself, be considered ; and is not, even in the least,

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contrary to the treaties made with Great Britain ; surely no cause remains for which that treaty could possibly be grievous or offensive to the nation, otherwise most friendly to the Emperor, of whose past famous exploits, and succours, no time shall ever efface the memory out of the breast of the most august Emperor, if it be only weighed with a sincere mind, purified from all desire of exciting the nation.

Another head, containing those things which rest on no foundation at all, concerns chiefly that imaginary treaty, which is called, in the speech, offensive ; and is supposed to be contracted, against your Majesty, between the Emperor and the King of Spain : But how empty and frivolous is that, is evinced from hence ; that that offensive treaty, as 'tis called, may be intirely disproved, not only by the convention lately offered, by his Imperial and Catholic Majesty, for not offending each other mutually, but also by the very treaty of friendship itself, which was contracted with the Spanish crown, and communicated to your Majesty when it was fitting ; from the words whereof whether even a shadow, or the least specimen, of an offensive treaty, can be drawn, is submitted to the judgment of the whole world.

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The other part of this position argues secret articles to have been made in favour of the Pretender; of which your Majesty asserts that you have, in your hands, sure indications, and such as may be relied on; whereby it is stipulated to advance that Pretender to the throne of Great Britain: But with what meaning, for what cause and design those things, grounded on the falsest rumours, were declared to the British people, is easily understood by any one of the vulgar, and much more by his Sacred Imperial Catholick Majesty: and as the faith, inviolable dignity and honour, of so great princes, cannot bear such kind of assertions, supported by no manner of truth, to be declared from the Royal Throne to the whole kingdom and world, his said Sacred Imperial Catholick Majesty has strictly enjoined me to declare hereby to your Majesty, and to the kingdom of Great Britain, that he is thereby most grievously offended; affirming, on his Imperial word, that there is no secret article, nor convention, existing, which contains, or can prove, the least thing of that nature.

But to the end that those things, which are underhand intended by this proceeding, unheard of till our times, may ap-

pear more clearly; it is observed, that they are designedly declared at that time, when consultation is held at Paris about composing the differences, which have arisen by no action of his Imperial and Catholic Majesty: from whence his abovesaid Imperial Majesty's mind, always disposed to peace, and most religious in observing of treaties, is sufficiently proved.

As to those things which are here alleged concerning Gibraltar, and represented in the worst sense; the notorious hostile actions and attacks, perpetrated, contrary to the treaties, in the Indies, and elsewhere, against the King of Spain, seem to have given the justest cause for undertaking the siege thereof: But it may be seen, from the above treaty, which has been communicated, what was the intention and agreement of his Imperial Catholic Majesty, upon this article.

Lastly, As to what things are alleged concerning the navigation of Ostend; his Catholic Majesty's piety induced him, being bound by no manner of treaty, to countenance it; after he had several times acknowledged the just reasons for this undertaking: And that this innocent subsidy, towards preserving the barrier of the Low Countries, may not
be

be an hindrance to the tranquility and mutual friendship with the neighbours, several means of accommodation were proposed, not only at the Hague, and in other places, but also have, lastly, been declared at Paris.

Which things being so ; truth offended, and the honour and dignity of his Sacred Imperial Catholic Majesty, did certainly demand, that the same should be publicly made known to your Majesty, to the kingdom of Great Britain, and to the whole world : who likewise, with all justice, requires due reparation for the most grievous injury done him by so many imputations.

London, $\frac{2}{14}$ day of the
month of March, in
the year 172 $\frac{6}{7}$.

CHARLES JOSEPH DE PALM.

(Vide Vol. I. P. 4, 36.)

The M O N I T O R,
or, BRITISH FREEHOLDER.

No. 357.

Tiberium variis artibus devinxit adeò Sejanus, ut obscurum adversum alios, sibi uni incautum, intestumque efficeret.

TACIT: Annal. l. 4.

SATURDAY, May the 22, 1762.

To the M O N I T O R.

S I R,

READING this passage in Tacitus, it readily occurred to me how dangerous it is both to the prince and his people, for him to have a Favourite ; or to be so weak as to give himself up to the management of any one of his subjects, in the government of his dominions, and in the pursuit of national glory. Where this has been the misfortune, the crown has often set like thorns, and councils have proved like harrows. The
King

King has ended his days in anxiety and distraction, and his subjects crushed to pieces by oppression.

A favourite of a crowned head is one who, without any merit or recommendation from his country, for any services performed for the public, and glory of the crown, has found means to acquire a great and almost an exclusive influence and power over the mind of his royal master: one who, by an early near admission to his presence, conversation and private recreations, has improved every opportunity to discover his weaknesses, to mark his foibles, and to ingratiate himself, till he gains an entire ascendant over his will; and governs him without controul: and one who, having succeeded thus far, during a minority, by mere professions of duty, and a diligent attention to gratify his passions, attempts to maintain his own influence and power, by destroying and preventing the growth of great and royal sentiments in his mind; and to usurp the authority and management of the state, by filling his master's head with pleasures and unprofitable amusements.—A favourite, possessed of this authority and credulity in his royal master, guards against every means to detect his usurpation; he permits none

but such as are devoted to his interest, to approach the prince ; and those he disposes about the royal presence, in such a manner, as to make them his spies ; to keep out men of merit ; to degrade patriotism with a mortal hatred ; to assist him in the sacrifice of public interest to his private views ; and to share with him the fruits and advantages of the royal favour.

Such a man's, or, if you will, such a minister's conduct, is founded upon flattery, the most dangerous of all vices in the body politic ; forasmuch as the prince is undone under the appearance of a more faithful attachment to his person, family and interest ; and, if it should happen, that the favourite has so insinuated himself into his heart, and got all his prejudices and passions on his side, there always follows a formation of that sort of fondness for him, which quickly produceth confidence in that person of a dangerous spirit, who will make the royal power subservient to his own passions. He loves none but himself, and sacrificeth honour, gratitude and justice to his private interest. — When a prince has once given himself up to the management of such a favourite, he may be carried as far as the ambition of his favourite pleaseth,

pleaseth, in tyranny, in profusion, in pleasures, in the neglect of his just rights and national interest; in an unseasonable and injurious propensity for peace; and even so far as to expose his country to ruin, and himself to seek for safety, by flight and exile.

This is the present case of Saxony; the distressed condition of which electorate is occasioned by the prince's ill-placed confidence in Count Bruhl, who, by the patronage of the Queen, obtained an entire ascendant over the sovereign; so as to prevail with him, "in defiance of public faith, and the most solemn treaties, and against the advice of the Saxon Privy-council, to enter into a secret league with Vienna and Petersburg, to crush the King of Prussia."

Count Bruhl, relying too much upon the favour of his prince, and valuing himself upon the greatness of his estate and fortune, despised the rest of the counsellors, "without considering that such a league might conspire at the Court of Berlin, before it could be ripe for execution, and thereby bring ruin upon his king and country." Had this Court acted upon principles of sound policy, he, instead of exerting the influence he derived from his prince's favour,

your, would have considered and foreseen all possible accidents, and provided against them.

But this favourite was not exempt from the peculiar defect of all ministers in that situation. Favourites in the cabinets of princes, are of a narrow genius ; their views are so contracted, and self hath so great a share in all their transactions, that they are afraid to venture ; therefore they are never resolved : whereas counsellors, whose patriotism admits of no private views nor self-interest, no motives, nor expectations, but the love and service of their country, are of that masculine and comprehensive turn of mind, that they are never long fluctuating about proper measures and resolutions. For, the rules of justice are eternal and immutable, and spontaneously occur to a sagacious and well disposed mind.

This perfidious act, obtained by Count Bruhl in the Saxon cabinet, confirms this observation. It was determined to join in the assault to be made on the King of Prussia ; “ but his conduct, from the “ year 1747, to the breaking out of “ this calamitous war, was a perpetual “ vacillation and unresolvèdness, about “ the manner of doing it, so as to cover “ Saxony from the King’s vengeance, “ which

“ which kept him in constant, suf-
“ pence.”

Here we may discern the real difference between a patriot minister, and a favourite. The patriot foreseeing the danger and calamities, which such an iniquitous league must certainly bring upon his country, would have resolved to reject the overtures of the confederacy : But the favourite “ shews, by his “ irresolution and vacillation, that though “ he was not ignorant of the fatal consequences, it was indifferent to him, “ whether Saxony swam or sunk ; so “ that he could maintain his power and “ influence over the King of Poland.”

“ This extraordinary minion of fortune (says the author of his life in a “ series of letters) who, after shooting “ up like a toadstool, with amazing rapidity, has over-spread all Saxony. “ Trace him from the commencement of “ his ministry, and there is not to be “ found one single ray of patriotism, not “ one spark of real concern for the welfare of Saxony. Swayed by a boundless avarice and ambition (which he “ endeavours to conceal under the names “ of frugality and œconomy) intent only on the aggrandizement of himself “ and family, he has engrossed all the

“ considerable and lucrative posts ; an
 “ insatiable desire of wealth, and, at the
 “ same time, the gratification of his va-
 “ nity and voluptuousness, by a profuse-
 “ ness more than regal, predominate in
 “ his soul, and bias his measures ; whilst
 “ Saxony is no further considered, than
 “ as the soil productive of such delicious
 “ fruits.—It is to be hoped, that some
 “ avenger of public honour will stand
 “ forth and expose the character of this
 “ ostentatious Court, his private deport-
 “ ment (*how he became a favourite*) and
 “ his public administration, as a docu-
 “ ment to posterity, that the unanimous
 “ and declared sentiments of honest men,
 “ are not to be overlooked or insulted
 “ with impunity. Such a piece would
 “ probably be an instrument of dimi-
 “ nishing the future sufferings of whole
 “ nations, which Providence, in its
 “ wrath, had cursed with a minister like
 “ Bruhl, and the dread of being trans-
 “ mitted to posterity, with all their odi-
 “ ous colours, might be some check on
 “ their rapacity and dissipation.”

But whilst the sole aim of ministers is
 to monopolize the favour of the sove-
 reign, affairs will go on at a scandalous
 rate. “ A fate to which every nation is
 “ subject, when the helm of sovereignty
 “ is

“ is in weak hands ; when princes make
 “ a bad choice of their officers and mi-
 “ nisters ; when they are driven to and
 “ fro, like a reed, by court cabals and
 “ intrigues, implicitly complying with
 “ every suggestion of their ministers and
 “ favourites, and totally void of any par-
 “ ticular affection for their subjects.
 “ Kings indeed are men, and it cannot,
 “ with any reason, be expected that they
 “ should raise themselves above the sphere
 “ of human nature, and to assume the
 “ spirituality of angels : But this is un-
 “ pardonable in them, that they should
 “ be so weak as to allow any favourite,
 “ male or female, such a power, as to
 “ lay the welfare and destiny of the sub-
 “ ject at his or her discretion.

“ In the judgment of this age, and
 “ never was the nature of government,
 “ the correction of affairs, and the duty
 “ of rulers better understood, a prince
 “ who governs himself has no need of
 “ a prime minister : For a favourite to
 “ desire his sovereign to declare him
 “ prime minister, is no less than to de-
 “ sire him to make a public acknowledg-
 “ ment, that he himself does not go-
 “ vern.

“ Where a prince will appoint a prime
 “ minister, he ought at the same time to
 “ main-

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“ maintain things in their proper relations : And his minister is to foresee events, to penetrate into the grounds of all occurrences, and to know and select the necessary measures, and the best manner and time of executing them. If such a minister be entrusted with unbounded power ; if he presides in his royal master’s heart, and determines every thing according to his good pleasure ; yet he is master of so much discretion, and retains so much regard for his sovereign’s honour, that he gives the glory of all his success to his master, and makes no property of his country to raise his private fortune.”

Having thus laid down a few previous remarks on favouritism, and exemplified them in the miseries and ruin of Saxony, under the administration of Count Bruhl, it should alarm both prince and people into a fixed resolution, never to be enticed by any allurements to advance such men in their favour and esteem.

A wise prince ought to resolve never to give himself up totally to those he advances to power. His prudence will call upon him to distrust the smallest beginnings, and preserve him from the temptation of superficial qualities. He will shew

shew a confirmed hatred to flattery ; and won't allow any thing, but truth and justice to influence his actions ; and he will be persuaded in his own mind, that if he does not preserve a love of truth, and shew a particular regard to those who are capable and honest enough to tell him, “ he shall sooner or later be “ delivered by divine justice, into the “ hands of a favourite, that shall make “ the people mourn, and eclipse the glory of the crown.” Of which you may expect some faithful anecdotes out of our own and other histories. From

Your's, &c.

O. P.

(Vide

(Vide Vol. I. Numb. 5.)

The M O N I T O R,
or, BRITISH FREEHOLDER.

No. 360.

Tiberium variis artibus devenxit adeò Sejanus, ut obscurum adversum alios, sibi uni incautum, intectumque efficeret.

TACIT. Annal. l. 4.

SATURDAY, June the 11th, 1762.

To the M O N I T O R.

S I R,

W H E N you published the character of a Court Favourite, and exemplified the misfortune of a cotuntry, where the government is committed to his direction, as Saxony, which has been ruined by the ascendance of Count Brhul over his royal master; it was asserted then, and now it is repeated, that a Favourite, as there depicted; such a minister as Sejanus was in the court of Tiberius, would be a most dangerous servant

vant of the crown ; both in regard to the prince and people. Of which we have but too many examples in all nations : And those are found always to be most ruinous to the state and public interest, where the despotism of a favourite minister has been acquired, and maintained by a female partiality ; making use of every art, and sacrificing every virtue and connection to satisfy the ambition of men, whose taste for secret favours, raised their appetite to a desire of illicit power ; and to assume the management of affairs, for which they were not qualified. But tho' these are no more than examples to be avoided, and not applied by your correspondent ; yet they can never be too often exhibited for public detestation, and for awful memorials to men entrusted with the protection of the liberty, safety and property of a nation.

In order, therefore, to keep as clear of any invidious interruption as possible ; let us pursue this subject with a representation of the calamities and distresses, into which the French nation is brought by that absolute ascendant, which Madam La Pompadour, their king's mistress, has gained over his will.

Hark then ! this mistress, though never admitted into the cabinet, was not devoid

devoid of a privy council; in which were always canvassed, and, in a great manner determined, the grand points of debate for the royal counsellors; she having previously learned them from her royal paramour, and fixed him in resolutions conformable to the interest of her private cabal: And, indeed, where we find a favouritism thus supported, it is likely to prove the most dangerous of all. It is always founded upon narrow, contracted and selfish principles; and will oppose, or never venture upon, any vigorous measures for the public good, that may endanger the favourite's private views and connections.

Women have a way to approach and to manage princes, which a man can never attain. There is a certain softness in their address, and a simplicity in their advice, being well timed, which gains attention, and covers the issues of a deceitful and wicked heart. And these seldom fail of success, when they have learned exactly to adapt the display of their accomplishments, in which the prince delights, to the call of the moment.

Thus La Pompadour, by amusing Lewis XV. when he was dull (for kings have their hours of dulness as well as other

other men) gained an entire ascendant over his will, not only in a personal and natural, but in a political and regal sense. She not only prevailed with his Majesty to ennoble herself ; “ but lavishly to bestow his favours upon low persons, her relations, favourites and dependants. “ In which cases the merit of what has been given is owing, not to the object but to the continuation of the gift ; “ so that one gift became only the pledge and wire-draw of another ; and the royal generosity appeared like a river “ poured down a sink.

“ Her art was so refined, that she obtained every thing, without seeming to ask any thing ; and while she drew from Lewis what sums she pleased, and and carried on an unbounded traffic in employs, posts, jobs, and other beneficial emanations from the royal authority, procured by her favour and influence, for those who gave her most money, she boasted of her disinterestedness and love for the king : All “ which he believed, though the voice of the public might have informed him better. But kings, above all men, are “ liable to this imposition : so far, that one would think they were born to be “ the bubbles of every kind of flattery, “ which

“ which always works more powerfully
 “ upon their understanding, when it is
 “ more artfully offered up under the
 “ name and appearance of love and af-
 “ fection.”

Her pride kept pace with her riches ;
 which is always the case of favourites raised
 above their merit. “ She prevailed
 “ with the king to make Collin (who,
 “ by his place, waited on her person at
 “ table) one of the comptrollers of the
 “ royal and military order of St. Lewis.”
 And had she confined her promotions
 within the verge of her own hotel, she
 might have been indulged with such little
 distinctions, to reward such of her ser-
 vants as recommended themselves most to
 her favour by their obsequiousness, oeco-
 nomy and vigour ; without being envied
 in the enjoyment of those foibles by the
 public. But, fatal to the nation ! this
 female favourite began to consider, that
 her own power about the king would in-
 crease in proportion to the numbers of
 dependants, she might be able to pre-
 vail with him to receive into his service,
 and to entrust with the finances, govern-
 ment and strength of his dominions.

Possessed with this resolution, and se-
 cure of the king’s affection, Pompadour
 sets about to disgrace and to ruin every
 coun-

counsellor and officer, that was not mean enough to pay homage at her levee ; and to fill their places with minions of her own creation. From that moment the fate of France was decreed. The nation, which bid fairest for the conquest of Europe, began insensibly to droop. Her councils were no longer firm, resolute and united. Her riches were consumed by timid, inactive, and unnatural measures. Her strength was curbed, and rendered useless, under commanders inadequate to the service ; and in the midst of a most dangerous and expensive war, her monarch's chief attention seemed to be employed in distributing his favours to men, upon his mistress's recommendation.

A most signal example of this may be found in the removal of Marshal d'Estrees from the command of the French army in Germany, and in full career of victory, and its vast consequences to his country, to make way for Richlieu, who lost all the ground the other had won. At court Mons. d'Argenson, principal secretary of state, and Mons. de Mechault, keeper of the seals, fell also victims to her intrigues, envy and malice. The marine department suffered extremely by her influence in the promotion of commanders

manders and inferior officers. And she could not rest till the treasury was placed in the hands of her most secret favourites.

However slavish the French are in their notions of submission to their sovereign, “ they could not help being discontented “ to see the great and ablest ministers of “ state, and commanders by sea and land, “ either degraded into a servile precarious dependance on a woman, so unaccountably lifted up, with no other merit than having gained an entire ascendant over the king, and who was constantly giving marks of her miserable mistaking the artifice by which she governed the king, for a capacity of governing the kingdom ; or else shamefully sacrificed to her little passions of vanity or revenge. Nor was it amongst the least of her reproaches, that prodigious venality of offices she had introduced wholly to her own emolument, and to the apparent ruin of the interest of her country ; which could not be well served by men, who, having bought their employs, thought of nothing so much but how to make the most of their bargains. A country in this condition, may be said to be put up to auction to the best bidder.”

Should

Should it be asked, How an absolute monarch could be so infatuated, as to yield to such ruinous measures? a little reflection will shew, that a man or a woman, “ who has discovered the art to
 “ dissipate time, and to stun all serious
 “ thought, will so effectually represent
 “ the business of the state so burthen-
 “ some and inconsistent with the joys of
 “ the crown, as to make it almost a se-
 “ cond and subordinate consideration.
 “ And when Pompadour had once gained
 “ this point, the state was left in the
 “ hands of such only, as she had chosen,
 “ or found subservient to her will. The
 “ king thus surrounded with those little
 “ creatures of her creation, they ac-
 “ knowledged the full extent of her em-
 “ pire, even not to dare to say any thing
 “ to him, which she had not dictated to
 “ them: and thence it was that any
 “ truth, interfering with her private
 “ views, could rarely penetrate to the
 “ royal ear.

“ This subversion of all order and dig-
 “ nity threw a general langour into the
 “ administration of affairs. The subjects
 “ of the highest rank, merit and abili-
 “ ties, were either driven into corners,
 “ says the author of Pompadour’s life,
 “ or they voluntarily shrank from the in-
 “ dignity

“ dignity of places, that could only be
 “ held on the scandalous terms of paying
 “ court to a woman, constantly jealous
 “ of not having enough of that respect
 “ shewn her, to which, she must be con-
 “ scious of having so little title.”----The
 consequence of this must be the filling
 of places, thus vacant, with petty cha-
 racters ; (such as the place of secretary
 of state, with the Abbot de Bernis, with
 the decoration of a ribband) whose great-
 est merit could only be the having none ;
 as no merit could there exist, but what
 must be incompatible with a submission
 to her, or with subministering to the will
 and measures of a woman, that visibly
 sacrificed, to her own private passions,
 the king, who was governed, and the
 kingdom that was dishonoured by her.

The exaltation of de Bernis, who was
 naturally of a very amorous constitution,
 and seemed to have no other recommen-
 dation than his person, youth, and art to
 please the fair sex, provoked the nobility
 and gentry beyond all moderation : so
 that, “ when he was invested with the
 “ order of the Holy Ghost, in the cha-
 “ pel of Versailles, there was, during
 “ the ceremony, a scroll of paper thrown
 “ out of the gallery among the knights,
 “ on which was wrote a French parody,
 “ on

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“ on the hymn called Veni Creator, and
“ is thus translated, in the third volume
“ of M. Pompadour's history, p. 52.

THOU holy spirit, power divine,
Do thou for France's glory deign
On this new minister to shine,
And lighten up his clouded brain.

Of twelve unlearn'd thou heretofore
Didst raise up oracles to thee :
Renew these miracles once more,
By giving sense to poor Bernis.

His bosom with thy flames possess ;
On him the love of heaven pour :
That he may kiss the ladies less,
And, least of all---La Pompadour.

Bernis, invested with the rank of a minister, and decked out with a blue ribbon, could not, doubtless, but appear more agreeable in the eyes of his protectress ; and she never easy, day and night, out of his company, looked upon his athletic constitution, and consummate knowledge in the art of love, to be such superior talents, as made him extremely capable of unravelling the most knotty, and conducting the most arduous affairs of state ; imagining, with great reason, that in the course of an administration,
which

which she alone had put into his hands, he would certainly take no step without first consulting her.—But poor Bernis, now exalted above his sphere, exactly answered the description which Montaigne has given of those monkies, who having, with great nimbleness, climbed up to the top of a tree, the height they have reached serve only the more to shew their naked backsides.

The daily promotions of this sort could not fail giving great disgust to all the principal nobility, and men of merit. And when they saw the prince of Conti, the darling of the soldiery, and the perfect master of the art of war, laid aside, to gratify her passions ; and the post of Maitre d'Hotel of the queen's household, an office always reserved for one of the very first distinction, sold for a large sum, to the grandson of an inn-keeper of Normandy, they could not forbear remonstrating very warmly with his Majesty on the occasion ; but all to no purpose : For Pompadour having instilled strong prejudices against their affection for him, Lewis heard their representations, but took no further notice of their grievances.

On which occasion the author above quoted remarks : “ A nation whose
“ strength and glory had been so long
“ sup-

“ supported by its numerous nobility,
 “ might reasonably expect to have seen
 “ them treated with a regard more ade-
 “ quate to their merit.---Has not France
 “ the greatest reason to apprehend, that
 “ this nobility treated thus cavalierly,
 “ will soon become less zealous for the
 “ glory of their country, and that their
 “ resentment, for the indignities they
 “ suffer, will get the better of their at-
 “ tachment to their king? How great
 “ must be their pangs, while sacrificing
 “ fortune, children and life, in the ser-
 “ vice of the state, to see themselves less
 “ regarded, less valued than a petty
 “ mistress : to see that it is she that rules
 “ and governs us all : and that either
 “ the united cries of the whole nation
 “ reach not their monarch’s ears, or that
 “ he is so insensible, as not to be at all
 “ affected by them ! ”

In this prospect of affairs the female
 favourite seems to have got such hold of
 the royal heart and will, that “ there is
 “ little room for conjecturing, that a
 “ king, thus managed, will soon snap his
 “ leading strings, or that she will not
 “ long continue her ascendant ; unless
 “ some of those very measures, she strains
 “ beyond all moderation to keep it,
 “ should hasten its destruction, and dis-

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 “ leading strings, or that she will not
 “ long continue her ascendant; unless
 “ some of those very measures, she strains
 “ beyond all moderation to keep it,
 “ should hasten its destruction, and dis-

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“ solve the enchantment; or, that the
“ unanimous clamour of his whole people
“ should at length force open his eyes to
“ the injury he is doing to them, and
“ to his own dignity and power, in aban-
“ doning himself to her misguidance.”
I am, till the next opportunity,

Your's, &c.

O. P.

N. B. *These are two of the eight numbers of the MONITOR, for which several persons were taken into custody. The other numbers are, No. 358, 373, 376, 378, 379, and 380. Vide Vol. II.*

Vide

(Vide Vol. II.)

The A U D I T O R.

No. 31.

SATURDAY, December 18, 1762.

*Tantum bellum, tam diuturnum, tam longè
latèque dispersum, quo bello omnes gentes
ac nationes premebantur, Cn : Pompeius
ex remâ biemeapparavit, meunte vere
suscepit, mediâ estate confecit.*

TULLY.

THOUGH the preliminary articles of the approaching peace have at length received the just applauses of a loyal and grateful people in full parliament; and though this important question has been decided, not only by a large and honourable majority, but also by the strong evidence of truth, and an irresistible force of argument; yet I find, that the male-contents, without doors, still continue to scatter poison and sedition throughout the kingdom. I do not know how safe it will be for the banditti of incendiary writers to persist, with contu-

macy, to give the lye to the whole body of the British legislature; but I am sure they are guilty of a flagrant outrage against the authority of government, and all the most sacred bands of society. If there is no jurisdiction to controul this unwarrantable licentiousness, or if allowing that there does exist such a legal coercive power, it is from the unexampled lenity of the administration, to lie dormant in the statute-books, or the records of parliament, *inclusum in tabulis, tanquam in vaginâ reconditum*, the Auditor is at least determined not to desert the public post, in which he has stood for some time past; but still to persevere in an unre-mitted opposition to malevolence and prejudice. He will continue to throw all the lights in his power upon the solid value of the advantages procured for us by the late negotiation; and he thinks he cannot better answer this laudable end at present, than by inserting the following letter, exactly in the form which he received it.

To

To the A U D I T O R.

S I R,

AT a time when popular clamour is so loud, and prejudice so violent, that the still small voice of truth can scarcely be heard; it is some pleasure to observe that all are not borne away by the stream, and that you, though almost single, oppose yourself to its rage, and bravely attempt to stem the torrent.

You have laboured, not unsuccessfully, to undeceive a misguided people, to save them from the strong impressions of artful misrepresentation, and more daring falshood. You alone have refused to condemn men for what they are to do; to censure them for measures never taken, and arraign them for counsels which they did not give. Thus nobly employ'd in the cause of truth, justice and patriotism, nay, of humanity itself; every little assistance which any one's knowledge may enable him to give you, must, I am persuaded, be acceptable to you. Let me then, Sir, contribute my mite, which, though thrown into a treasury, yet is still of some value.

Great art and much falshood have been employed to set every acquisition, made

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by the present treaty of peace, in a contemptible and disadvantageous light. Countries whose value and importance were before universally acknowledged, became, the moment they were known to be ceded to us, of no value and importance. Great towns were diminished to paltry villages; populous countries were reduced to uninhabited regions; and fertile and cultivated provinces, were converted into barren and naked deserts. Such has been the fate of Canada; such has been the fate of Florida. I shall confine myself to the latter of these: for this reason, I know the country. Had our political writers confined themselves within the same bounds, and argued about nothing but what they knew, they would have wonderfully abridged their own labours, and have imposed much less upon the patience and credulity of their readers.

I have traversed by far the greatest part of this our new acquisition; and I do assure you and the public, that I never saw a finer country than Florida is for the most part. Neat and comfortable houses on the plantations; well built, though, I confess, small towns, and these in a well improved, and richly cultivated country, are what constantly strike the eye of
the

the traveller. What commercial advantages may be drawn from it, I leave abler pens to display; I speak only of the appearance of the country: And yet this leads me to mention one advantage I apprehend our West Indian islands may reap from the possession of that country, even in the commercial light. The only, at present, profitable tracts of Florida, are certain large bogs, or marshy grounds, which produce an excellent kind of fuel; being pretty much the same thing which is called in England peat or turf: Of this there is by far a greater quantity than would serve the inhabitants for firing, were they ten times more numerous than they are. Now, Sir, it is a fact notoriously true, and of which I have been an eye witness, that all kind of fuel is extremely scarce in the West Indies; I do not mean for boiling the sugars, for with that, the trash of the sugar cane sufficiently supply them, but for domestic uses: for the truth of this I appeal to every gentleman who has been in the West Indies; indeed the scarcity is such, that I can safely affirm, that not one of the lower kind of the planters have a comfortable fire in their parlours or bed-chambers; nay, even amongst the better sort, I have seldom seen a good fire,

D 4

though

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though at the severest season of the year. In Jamaica, I am told, the case is otherwise ; it may be so, I never was there, and I speak only of what I know. But in Barbadoes, Antigua, St. Christopher's and Montserrat, I have been, and what I have said, I affirm to be a fact in those islands. Is it then a small advantage to add, and that at a cheap rate, to the conveniences and comforts of our fellow subjects, fellow creatures, and fellow christians ?

Let me add, and then I have done; that what I have said of those islands is true of Guadaloupe, that favourite child of a very indulgent, though, no doubt, very disinterested father, the author of an Examination of the commercial principles, &c. Possibly he may have been in Guadaloupe ; let him contradict me if I assert what is not true, and I will give him proof as fully convincing as a Custom-house entry.

I am, Sir, your's, &c.

V I A T O R.

If to the above testimony of my correspondent, be added the full authority of all writers, who mention the territory of Florida, we shall be convinced that the
com-

complaint of our having gained only barren and uncultivated land, like Bagshot-Heath, cannot be supported with regard to this part of our acquisitions. Florida enjoys the same air with South Carolina, and has a soil fit for the production of the same commodities, namely, rice, indigo, cotton, &c. articles of high importance to our commercial interests. It is well known that the ambition of France has aimed at an extention of empire in these regions; and it has long been her settled and favourite speculation, that could she possess herself of Florida, with Louisiana at the back of the British settlements, and with Canada, ever meditating schemes of encroachment and hostility, not only the growth of our North-American plantations might be effectually suppressed, but even, in time, a total extirpation of the English might be accomplished. An author *, well versed in matters of this nature, after enforcing with his countrymen a most diligent attention to their colonies, observes, that if they ever lose Canada and the river St. Laurence, Louisiana will be then to them like an apartment in the upper story of the house, without permission to enter at the door. On this account we find him recommending, with great warmth, but indeed

* *L'Ami des Hommes.*

with more decency than is observed by our English statesmen out of place, the care and protection of Canada ; which, he says, is rendered sufficiently respectable by its furs, its timber, the fishery in the gulph of St. Laurence, and the peltry trade ; but exclusive of these considerations, he holds it to be the interest of France never to depart from Canada and Cape Breton, as they are the means of preserving a communication with Louisiana, which, hemmed in as it is from the Sea, will never otherwise be able to give disturbance to the British settlements, or to be of any considerable emolument to the mother country. Canada and Louisbourg once lost, continues the French writer, the whole fishery upon the great bank, and in the gulph of St. Laurence, in time must follow it ; for France, without settlers in that part of the world, will never be able to support herself against the ambition of her rivals. This is the doctrine of the ablest French writers upon commerce, as far as I have had an opportunity of consulting them. They flatter themselves that, gaining ground in the northern settlements, and also from the mouth of the Mississippi, extending themselves towards Georgia and Carolina, they should some time or other dispossess us of the whole American empire.

But

But these towering hopes of the enemy are now for ever blasted, and the noblest enlargement of dominion with the fullest security is yielded to us by the preliminary articles. The attacks of the French and Spaniards upon Georgia and Carolina are still fresh in the minds of men; and the many fruitless attempts we have made to reduce Fort Augustine, need not here be mentioned. The importance of that place was well understood by the commander who first projected a reduction of it, and happy is the minister who has procured so important a cession, by which Great Britain acquires entire dominion in the gulph of Florida. As it has been the ungenerous practice of almost all our late political writers to derogate from every thing obtained for us, I shall not wonder if the command of those seas should be represented in the most despicable light. But the adversaries of truth should remember, that though they should lose their reason, they cannot extort from us the use of our own faculties; they cannot make us forget that the Spanish fleets, in their return to Europe, all pass this way; and it must strike us, that, in time of war, Augustine may be another Havannah to Great Britain, and, in time of peace, may prove a very useful factory.

It has been lamented, by many writers upon commerce, that the Bahama islands have been too much neglected. Perhaps their vicinity to Florida was the cause of it ; but that vicinity may now encourage settlers to plant and cultivate those islands, which may prove an addition to our sugar land, if it be true that any addition is wanting. One of those islands (I think it is called Providence) was some time since purchased by the crown, and fortified, in order to make it a station for cruisers in those seas ; and it was a place of refuge for the settlers in the adjacent islands, whenever an enemy approached them. In this state of insecurity, it is no wonder that the Bahamas have not as yet made a figure in the commercial world ; but, under the auspices of a king, who, while he was procuring glory and security to his dominions, directed his royal cares, and the wisdom of his councils, to open new veins of trade and wealth to excite the industry of his people, there can be no manner of doubt but, in process of time, the places, we have been speaking of, will add to the revenue, and stand frequently recorded in our Custom-house entries.

(Vide

(Vide Vol. I.)

The A U D I T O R.

No. 19.

THURSDAY, September 30, 1762.

—THERE may be a great many other articles added, especially if Colonel Cataline and his gang repair to Stowe, in order to frame the accusation. When the bill of impeachment is settled, I think it should not be tried by the Lords, but rather be moved by Certiorari, before Sir James Hodges, Mr. Beardmore, the Dutch contractors, and stock-jobbers, &c. Nor would I have Colonel Cataline be a manager of the prosecution, but rather turn evidence; for which the reader will think him well qualified, when he has read the following short story, which he may depend is authentic.

A young gentleman, of twelve years old, who is placed for education at Winchester college, and is son to the noble Lord in question, being, the other day
in

in a bookfeller's shop at Winchester, Colonel Cataline entered the place, and most liberally and manfully accosted the youth in these words : " Young gentleman, " your father will have his head cut off--- " Sir !----He will lose his head in less " than six months.----For what, Sir ! I " never heard that he has done any thing " amiss : he has a great many friends ; " such as * * ---- * * ---- and * * ---- and " * * * ---- and the Right Honourable " George * * - - Ay ! He is your Fa- " ther's great puppy dog,---- but depend " upon it, your Father will lose his " head, or the mob shall tear him to- " piece." The youth upon this burst into tears with indignation ; and turning short, as he rushed out of the shop, " You " are a squinting scoundrel (says he) " for offering to talk to me in this man- " ner."---- I have related this story, in order to shew of what a truly heroic, manly, and liberal mind Colonel Cataline is possessed, and how fit he is to swear what the noble Lord will do, should the trial come on.

I am,

Mr. AUDITOR,

Your's, &c.

(Vide

THE NORTH BRITON.

(Vide Vol. II.)

THE AUDITOR.

No. 38.

TUESDAY, February 8, 1763.

—THE Gorgónean masque (which is the third lot) is wholly engrossed by Colonel Cataline. I know some people are of opinion, that he does not stand in need of any such assistance, and that he is sufficiently endowed by nature ; but I never can think that face his own. The *Fædi oculi*, that vile cast of the eye, and that entire phisiognomy, can never be natural. Besides, mere human impudence would be feeble, without a Gorgónean incrustation, and shrink back from the indignant eye of mankind. After being kicked and buffeted by a Baronet in the North, is it possible that he should now dare to talk of men bravely sincere and sincerely brave, while the unattuned marks of infamy are still glowing and tingling on his shoulders, if he were not wrapped in more than tenfold brass ?
Could

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Could a bare face endure the observant looks of that very assembly, to which he resorts for no other purpose, but to mark out one of them for his scurrility on the Saturday following? But of the Colonel I shall say no more at present, being determined to devote an entire paper to so extraordinary a character.

N. B. This was the Last number of The AUDITOR.

(Vide Vol. II.)

The Judgment and Decree of the University of OXFORD, passed in the Convocation July 21, 1683, against certain pernicious books, and damnable doctrines, destructive to the sacred persons of Princes, their States and Government, and of all human Society.

“ **A** Lthough the barbarous assassination lately enterprized against
“ the person of his sacred Majesty and
“ his royal brother, engage all our
“ thoughts to reflect with the utmost detestation and abhorrence on that execrable villainy, hateful to God and
“ man, and pay our due acknowledgments to the divine providence, which
“ by

“ by extraordinary methods brought it
 “ to pass, that the breath of our nostrils,
 “ the anointed of the Lord, is not taken
 “ in the pit which was prepared for
 “ him ; and that, under his shadow, we
 “ continue to live, and enjoy the blessings of his government ; yet notwithstanding, we find it to be a necessary
 “ duty at this time to search into, and lay
 “ open those impious doctrines, which
 “ having of late been studiously disseminated, gave rise and growth to these
 “ nefarious attempts ; and pass upon
 “ them our solemn public censure, and
 “ decree of condemnation.

“ Therefore, to the honour of the holy and undivided Trinity, the preservation of catholic truth in the Church,
 “ and that the King’s Majesty may be secured both from the attempts of open
 “ bloody enemies, and machinations of treacherous heretics and schismatics :
 “ We, the Vice-Chancellor, Doctor, Proctors and Masters, Regent and Non-regent, met in convocation, in
 “ the accustomed manner, time, and place, on Saturday the one and twentieth day of July, in the year 1683,
 “ concerning certain propositions contained in divers books and writings,
 “ published in the English, and also the
 “ Latin

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“ Latin tongues, repugnant to the holy
 “ scriptures, decrees of councils, wri-
 “ tings of the fathers, the faith and pro-
 “ fession of the primitive church, and
 “ also destructive of the kingly govern-
 “ ment, and safety of his Majesty’s per-
 “ son, the public peace, the law of na-
 “ ture, and bonds of human society ; by
 “ our unanimous assent and consent, have
 “ decreed, and determined in manner and
 “ form following :

“ I. All civil authority is derived ori-
 “ ginally from the people.

“ II. There is a mutual compact, ta-
 “ cit or exprefs, between a prince and
 “ his subjects ; and that if he perform
 “ not his duty, they are discharged from
 “ theirs.

“ III. That if lawful governors be-
 “ come tyrants, or govern otherwise than
 “ by the laws of God and man they
 “ ought to do, they forfeit the right they
 “ had unto their government. *Lex rex.*
 “ *Buchan. de jure regni. Vindiciæ con-*
 “ *tra tyrannos. Bellarum. de consiliis,*
 “ *de pontifice. Milton. Goodwin. Baxt.*
 “ *H. C.*

“ IV. The sovereignty of England is
 “ in the three estates, viz. King, Lords,
 “ and Commons. The King has but a

“ co-

“ co-ordinate power, and may be over-
“ ruled by the other two. Lex rex.
“ Hunton. Of a limited and mixed mo-
“ narchy. Baxter’s H. C. Polit. Cate-
“ chif.

“ V. Birth-right and proximity of
“ blood give no title to rule or govern-
“ ment ; and it is lawful to preclude the
“ next heir from his right and succef-
“ sion to the crown. Lex rex. Hunt’s
“ postscript. Doleman’s history of suc-
“ cession. Julian the apostate. Mene
“ Tekel.

“ VI. It is lawful for subjects, with-
“ out the consent, and against the com-
“ mand of the supreme magistrate, to
“ enter into leagues, covenants and as-
“ sociations, for defence of themselves
“ and their religion. Solemn league and
“ covenant. Late association.

“ VII. Self-preservation is the funda-
“ mental law of nature, and supersedes
“ the obligation of all others, whenso-
“ ever they stand in competition with it.
“ Hobbes, de cive ; Leviathan.

“ VIII. The doctrine of the gospel,
“ concerning patient suffering of injuries,
“ is not inconsistent with violent resist-
“ ing of the higher powers, in case of
“ persecution for religion. Lex rex.
“ Julian the apostate. Apologet. relat.

“ IX.

“ IX. There lies no obligation upon
 “ Christians to passive obedience, when
 “ the prince commands any thing against
 “ the laws of our country; and the primitive
 “ Christians chose rather to die
 “ than resist, because christianity was
 “ not settled by the laws of the Empire.
 “ Julian the apostate.

“ X. Possession and strength give a
 “ right to govern; and success in a
 “ cause or enterprize, proclaims it to be
 “ lawful and just: To pursue it, is to
 “ comply with the will of God, because
 “ it is to follow the conduct of his providence.
 “ Hobbes. Owen’s sermon
 “ before the Regicides, Jan. 31, 1648.
 “ Baxter. Jenkins’s petition, Oct. 1651.

“ XI. In the state of nature there is
 “ no difference between good and evil,
 “ right and wrong: the state of nature
 “ is a state of war, in which every man
 “ hath a right to all things.

“ XII. The foundation of civil authority
 “ is this natural right, which is not
 “ given but left to the supreme magistrate,
 “ upon mens entering into societies:
 “ And not only a foreign invader, but
 “ a domestic rebel, put himself again
 “ into a state of nature, to be proceeded
 “ against, not as a subject, but an enemy;
 “ and consequently acquires by his
 “ rebel-

“ rebellion the same right over the life of
“ his prince, as the prince for the most
“ heinous crimes has over the life of his
“ own subjects.

“ XIII. Every man, after his enter-
“ ing into a society, retains a right of
“ defending himself against force; and
“ cannot transfer that right to the com-
“ monwealth, when he consents to that
“ union whereby a commonwealth is
“ made: And in case a great many men
“ together have already resisted the com-
“ monwealth, for which every one of
“ them expected death, they have liberty
“ then to join together to assist and de-
“ fend one another: Their bearing of
“ arms subsequent to the first breach of
“ their duty, though it be to maintain
“ what they have done, is no new un-
“ just act; and if it be only to defend
“ their persons, it is not unjust at all.

“ XIV. An oath superadds no obliga-
“ tion to pacts, and a pact obliges no
“ further than it is credited, and conse-
“ quently if a prince gives any indication,
“ that he does not believe the promises
“ of fealty and allegiance made by any of
“ his subjects, they are thereby freed
“ from their subjection; and notwith-
“ standing their pacts and oaths, may
“ lawfully rebel against, and destroy
“ their

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“ their sovereign. Hobbes de civ. levia-
“ than.

“ XV. If a people, that by oath and
“ duty are obliged to a sovereign, shall
“ sinfully dispossess him, and, contrary
“ to their covenants, chuse and covenant
“ with another; they may be obliged by
“ their latter covenants, notwithstanding
“ their former. Baxter's H. C.

“ XVI. All oaths are unlawful, and
“ contrary to the word of God. Qua-
“ kers.

“ XVII. An oath obligeth not in the
“ sense of the imposers, but the takers.
“ Sheriff's case.

“ XVIII. Dominion is founded in
“ grace.

“ XIX. The powers of this world are
“ usurpations upon the prerogative of
“ Jesus Christ; and it is the duty of
“ God's people to destroy them, in or-
“ der to the setting Christ upon his
“ throne. Fifth monarchy men.

“ XX. The Presbyterian government
“ is the sceptre of Christ's kingdom, to
“ which Kings as well as others are
“ bound to submit, and the King's su-
“ premacy in ecclesiastical affairs, asser-
“ ted by the Church of England, is
“ injurious to Christ, the sole king and
“ head of the church. Altare Damas-
“ cenum.

“ cenum. Apologet. relat. hist. of in-
“ dulgencies. Cartwright. Travers.

“ XXI. It is not lawful for superiors
“ to impose any thing in the worship of
“ God that is not antecedently necessary.

“ XXII. The duty of not offending a
“ weak brother, is inconsistent with all
“ human authority of making laws con-
“ cerning indifferent things. Protestant
“ reconciler.

“ XXIII. Wicked Kings and tyrants
“ ought to be put to death; and if the
“ judges and inferior magistrates will
“ not do their office, the power of the
“ sword devolves to the people: If the
“ major part of the people refuse to exer-
“ cise this power, then the ministers may
“ excommunicate such a King: After
“ which it is lawful for any of his sub-
“ jects to kill him, as the people did
“ Athaliah; and Jehu, Jefabel. Bu-
“ chan. Knot. Goodman. Gilby.
“ Jesuits.

“ XXIV. After the sealing of the
“ scripture canon, the people of God,
“ in all ages, are to expect new revela-
“ tions for a rule of their actions; and it
“ is lawful for a private man, having an
“ inward motion from God, to kill a
“ tyrant. Quakers, and other enthu-
“ siasts. Goodman.

“ XXV.

“ XXV. The example of Phineas, is
 “ to us instead of a command: For what
 “ God hath commanded or approved in
 “ one age, must needs oblige in all.
 “ Goodman. Knox. Napthali.

“ XXVI. King Charles I. was law-
 “ fully put to death; and his murderer’s
 “ were the blessed instruments of God’s
 “ glory in their generations. Milton.
 “ Goodwin. Owen.

“ XXVII. King Charles the first made
 “ war upon his parliament: And in such
 “ a case, the King may not only be re-
 “ sisted, but he ceaseth to be King.
 “ Baxter.

“ We decree, judge, and declare, all
 “ and every of these propositions to be
 “ false, seditious, and impious; and most
 “ of them to be also heretical and blas-
 “ phemous; infamous to the christian
 “ religion, and destructive of all govern-
 “ ment in church and state.

“ We further decree, that the books
 “ which contain the aforesaid proposi-
 “ tions, and impious doctrines, are fitted
 “ to deprave good manners, corrupt the
 “ minds of uneasy men, stir up seditions
 “ and tumults, overthrow states and
 “ kingdoms, and lead to rebellion, mur-
 “ der of princes, and atheism itself.
 “ And therefore we interdict all members

“ of

“ of the university from the reading of
 “ the said books, under the penalties in
 “ the statutes expressed. We also order
 “ the before recited books to be pub-
 “ lickly burnt by the hand of our mar-
 “ shal, in the court of our schools.

“ Likewise we order, that in perpe-
 “ tual memory hereof, these our decrees
 “ shall be entered into the registry of our
 “ convocation; and that copies of them
 “ being communicated to the severall
 “ colleges and halls within this univer-
 “ sity, they be there publickly affixed
 “ in the libraries, refectories, or other
 “ fit places where they may be seen and
 “ read of all.

“ Lastly, We command, and strictly
 “ enjoin all and singular the readers,
 “ tutors, catechists, and others, to whom
 “ the care and trust of initiating youth is
 “ committed, that they diligently instruct
 “ and ground their scholars in that most
 “ necessary doctrine, which, in a man-
 “ ner, is the badge and character of the
 “ church of England, of submitting to
 “ every ordinance of man, for the Lord’s
 “ sake; whether it be to the King as
 “ supreme; or unto governors, as unto
 “ them that are sent by him, for the
 “ punishment of evil doers, and for the
 “ praise of them that do well. Teach-

“ ing that this submission and obedience
 “ is to be clear, absolute, and without
 “ any exception of any state or order of
 “ men: Also, that they, according to
 “ the apostle’s precept, exhort, that first
 “ of all, supplications, prayers, inter-
 “ cessions, and giving of thanks, be
 “ made for all men; for the King, and
 “ all that are in authority, and that we
 “ may lead a quiet and a peaceable life,
 “ in all godliness and honesty, for this is
 “ good and acceptable in the sight of
 “ God our Saviour. And in special man-
 “ ner, that they press and oblige them,
 “ humbly to offer their most ardent and
 “ daily prayers at the throne of grace,
 “ for the preservation of our Sovereign
 “ Lord King Charles, from the attempts
 “ of open violence, and secret machina-
 “ tions of perfidious traitors; that the
 “ defender of the faith, being safe un-
 “ der the defence of the Most High,
 “ may continue his reign on earth, till
 “ he exchange it for that of a late and
 “ happy immortality.”

The humble Address and Recognition of
the University of OXFORD, presented
to his Sacred Majesty,

J A M E S II.

King of England, Scotland, France and
Ireland, Defender of the Faith, &c.
According to an Act of Convocation,
bearing date Feb. 21, in the Year
1685.

OXFORD: Printed at the Theatre, 1685.

May it please your Majesty.

WE, your Majesty's most dutiful
and loyal subjects, your Univer-
sity of Oxford, do here prostrate our-
selves at your royal feet, to present, with
all humility, this public testimony of our
unfeigned sorrow for the demise of our
late dread sovereign, of blessed memo-
ry; and withal, from the bottom of our
hearts, to adore and magnify the provi-
dence of our good God, by whom kings
reign, who, out of his unspeakable mer-
cy to this church and state, has preserved
your sacred Majesty in the government of
these kingdoms.

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And as we can never swerve from the principles of our constitution in this place, and our religion by law established in the church of England; which indispensably bind us to bear all faith and true obedience to our sovereign without any restrictions or limitations; so we cannot but most thankfully acknowledge that further obligation your Majesty has laid upon us by your royal assurance to defend that religion, which, to the joy of all our hearts, you have vouchsafed to give us in your late most gracious declaration.

Wherefore, out of a deep and hearty sense of our bounden duty, as also of your Majesty's most princely grace, and tenderness to your people; we presume to assure your Majesty, that no consideration whatsoever, shall be able to shake that steadfast loyalty and allegiance which, in the days of your blessed father, that glorious martyr, and in the late times of discrimination, stood here firm and unalterable to your royal brother and yourself, under the sharpest trials: and that we shall constantly (by God's assistance) with our outmost zeal and fidelity, improve all those advantages wherewith God and your Majesty have entrusted us in this ancient nursery of learning; to promote
the

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the quiet, happiness, and security of your Majesty's reign over us.

And finally, we shall never fail to be earnest solicitors at the throne of grace, that it would please Almighty God, who, of his infinite goodness, hath settled you in peace upon the throne of your royal ancestors, to be henceforth and for ever the defence and shield of his anointed, to protect your person, and prolong your days : and when you shall have finished your course upon earth in peace and honour, to translate you from one crown to another, to a never failing crown of glory in his everlasting kingdom.

(Vide Vol. II.)

Extract from an AFFIDAVIT,
examined by the Office copy.

AND this deponent Peregrine Cust for himself saith that he hath particularly attended to and considered the following paragraph or parts of the said annexed paper, A, called The North Briton beginning at the 28th line of the third page thereof (folio 249) and from thence to the word Friends, in the fourth line of the following page fo. 250, and which is or are expressed in the words

E 3

and

and figures or to the effect following
 that is say “ Let us now consider ano-
 “ ther striking instance of the total dis-
 “ regard of œconomy : I mean the pre-
 “ sent loan of 3,500,000 l. The terms
 “ of the new subscription have been so
 “ injurious to the public but so benefi-
 “ cial to the subscribers, that is, to the
 “ creatures of the minister that there
 “ was immediately an advance of seven
 “ per cent and in a very few days of
 “ above eleven per cent : I shall, how-
 “ ever, only state it at the even round
 “ sum of Ten per cent that I may not
 “ puzzle the chancellor of the Exche-
 “ quer The whole loan amounted
 “ to 3,500,000 l ; consequently in the
 “ period of a very few days the minister
 “ gave among his creatures and the tools
 “ of his power 350,000 l, which was
 “ levied on the public : the most enor-
 “ mous sum ever divided in so short a
 “ time among any set of men. A few of
 “ their names I will mention to shew in
 “ what estimation they are held by the
 “ public Messieurs Touchet Glover Cust
 “ (brother to the able and impartial
 “ speaker) Amyand Magens Salvador
 “ Colebrooke Thornton and Muilman
 “ had each 200,000 l, of the new sub-
 “ scription, and of course almost imme-
 “ dately

“ diately cleared 20,000 l, each which
 “ they have or have not shared among
 “ their friends” And this deponent further saith that he hath also read over and considered the similar paragraphs or parts of the said reprinted copy of the said paper called the North Briton as the same appeared to be expressed in the said reprinted copy of the same in the said annexed book called the Political Controversy as the same are therein set forth beginning at the twelfth line of the page or folio in the said book marked 377 at the like words “ Let us now consider” and ending at the word “ friends” in the sixth line of the page following or folio marked 378 of the same book And this deponent saith that he doth apprehend and think himself prejudiced and injured in his character and credit in his business as a merchant of the city of London by the aspersions and insinuations respectively contained in the said several parts or paragraphs beforementioned and specified of the said paper called the North Briton and the reprinted copy thereof in the said book called the Political Controversy so far as the same do respectively mention, and relate to the person in the said paper and reprinted copy respectively mentioned by the name of Cust and that

the said papers respectively do contain in the opinion and belief of this deponent very gross defamatory and malevolent as well as false and unjust insinuations and aspersions on the honour character and reputation of this deponent and this deponent saith he is the more fully convinced that this deponent was and is the person meant and intended by the name of Cust inserted in the said several papers before mentioned called the North Briton and the said reprinted copy thereof for that in or about the months of August and September last it being generally understood that a loan of money would be wanted for the service of the public and support of his Majesty's government in the succeeding year 1763 and it being then uncertain what sum would be wanting (on account of the uncertainty at that time whether the war would continue or not) and it being also apprehended that a much larger loan would be wanted by the government than afterwards was found necessary and it being supposed that eight millions at least would be wanted for the said service and this deponent being desirous of contributing so far as he could to the service of the public by procuring among his friends and acquaintance part of the money which might

might be wanted for the said loan for the service of the government whether there should be a continuation of the war or not this deponent therefore declared to and gave out among his acquaintance that he intended to offer a list of subscriptions to the lords commissioners of his Majesty's Treasury on account of the said loan to the amount of one million or thereabouts and thereupon this deponent received from many persons as well those of his acquaintance as many others, who this deponent knew only by reputation and character as responsible persons letters offering the sums which they were respectively willing to subscribe and which they desired to be included in this deponent's list and this deponent did accordingly insert in his said list indiscriminately the names of all the persons who so desired to become subscribers in this deponent's said list (they being all persons who in this deponent's judgment were able and responsible persons) and the respective sums which they severally desired to have inserted and were desirous of subscribing were accordingly inserted in their respective names in the said list and no person who desired to have any part of the said subscription was omitted or left out of this deponent's said list in regard this depo-

nent looked on the said loan in the nature
 of a public subscription and as what was
 likely to be a real service and benefit to
 the public and this deponent saith that in
 or about the month of January last and
 long before the terms of the said loan
 were known and before it could be pos-
 sibly known whether the terms thereof
 would prove advantageous to the sub-
 scribers or not this deponent delivered in
 his said list for the consideration of the
 lords commissioners of the treasury and
 that in the said list so delivered in amoun-
 ting to one million and twenty-four thou-
 sand pounds or thereabouts were inclu-
 ded the names of all and every person
 who had wrote to this deponent desiring
 to be included in this deponent's list with
 the sums by them desired to be subscri-
 bed whether they were of this deponent's
 acquaintance or strangers (as many of
 them in fact were to this deponent, ex-
 cept by character as to their abilities) in
 order to their being eventually admitted
 as sharers of the said loan And this de-
 ponent saith that above four-fifths of the
 sum of two hundred thousand pounds be-
 ing the sum allowed to this deponent on
 account of the said list so delivered in and
 offered to be subscribed by this deponent
 as aforesaid was divided among the seve-
 ral

ral persons who had made such applications to this deponent as aforesaid and in which this deponent had no interest, or share or profit whatsoever and that there was not any one person who had wrote to this deponent to be in this deponent's list who had less than one fifth of the sum which he so wrote for except only one person who had wrote to subscribe twelve thousand pounds and had two thousand pounds only of the loan to make it an even sum and this deponent saith that the assertions contained in the said two printed papers herein before-mentioned and described that is to say in the said paper called the North Briton that a sum of three hundred and fifty thousand pounds and in the said book called the Political Controversy that the sum of fifty thousand pounds was given in such manner as in the said papers mentioned which was levied upon the public, is according to this deponent's judgment and best of his belief a false and unjust misrepresentation inasmuch as it was in this deponent's opinion and judgment uncertain at the time of this deponent's delivering in his said list as aforesaid whether the agreement for the public loan would or would not be attended with benefit to the subscribers and there was not

in

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in this deponent's judgment any probability that the subscribers to the same would derive any large considerable or unreasonable benefit from it nor was the agreement itself in this deponent's opinion unfair or inequitable or inadequate to the risk run.

A F R A G M E N T,

Which, it is said, was found in the pocket of one of the printers, who were apprehended by the King's Messengers, supposed to have been intended for No. 46. of

The NORTH BRITON,

To be published on the following Saturday, April 30, 1763.

Was it not enough that ye mocked men, but must ye mock the Lord also? BIBLE.

IT is a very melancholy consideration, which must fill every serious mind with the deepest concern and horror, that RELIGION is now made a political state-engine, to serve the vilest and most infamous purposes of an abandoned minister,

ster, or of a wicked and corrupt administration. Not only every good man must be shocked to see what is in its nature sacred, thus prostituted to the shameful ends of faction and party, but every decent man must be alarmed at so public a contempt and violation of that respect which is generally paid, even by the profligate and abandoned, to the sentiments of the sober and thinking part of the community. The religious man will go a step further: he will consider a proceeding of this kind, as an impious mockery of heaven, and shudder at the dread of the fatal consequences he must apprehend from it.

I am led into these reflections by the Form of Prayer and Thanksgiving to Almighty God, for putting an end to the late bloody and expensive war, by the conclusion of a just and honourable PEACE. I look upon this to be a most daring insult on the common sense of mankind, and not only an outrage to the public, but a solemn mockery of the Divine Being. Are we by a ministerial mandate, to thank God that the Scot has sacrificed our most important conquests to the inveterate enemies of our religion and liberties? Is the English nation to acknowledge the goodness of the Almighty, because, according to the regular dispensations

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fations of his providence, he has only suffered a wicked and incapable minister to conclude a Peace, so inadequate to the great success with which the Divine Being crown'd our just cause, so inglorious to the nation, so treacherous to our allies? a Peace too for which all Europe expects to see him call'd to a very severe account? Should we not rather conclude, that the late Peace was given us by God in his wrath; and ought we not in consequence to humble ourselves before him, and to deprecate the other punishments, which seem to be coming very fast, as well as very weighty and greivous upon us. The Exile was plainly given in the just indignation of heaven against us, and the severest marks of vengeance will certainly be felt this year, though, I hope our virtue will redeem us from so ignominious a bondage in the next.

I suspect that we have copied this new species of wickedness, the insulting the Divine Majesty of heaven, from the worst of our neighbours, the French. They, almost regularly after a signal defeat, sing Te Deum, with the greatest pomp, and by a thousand insolent songs of triumph endeavour to impose on the fond credulity of the people. That perfidious nation has never scrupled the defying God, to secure any temporary advantages,

tages; and their most solemn acts of devotion have plainly appeared to have been enjoined only to serve the artful purposes of the state. Is this the nation, which is to be proposed for our pattern? and are the English to become what the Scots were for a long time, the professed admirers and imitators of the most atrocious frauds and perjuries of their old friends and allies, the French? These two nations have generally acted like the same subjects of one natural King, as Clarendon expresses it on occasion of the letter, which Lord Loudon, and others of the Scottish nobility, wrote to the French King, to ask his protection, and to put him in mind of the dependance the kingdom (SCOTLAND) formerly had upon that crown (of FRANCE.) The letter too was directed in the style of subjects to their own sovereign, au Roy. Such imitations of foreign manners will, I hope, be confined to the Scots, and never be followed by the English. I blushed when I read the late false and extravagant compliments of the Duke of Nivernois, and our unmanly returns. The violent professions of friendship made by France to this country, are not only surfeiting and suspicious, but very alarming, and I believe designed to cover some deep treachery. The great Duke
of

of Marlborough, in a letter to Queen Anne, says, It is not my opinion only, but the opinion of all mankind, that the friendship of France must needs be destructive to your MAJESTY, there being in that court a root of enmity irreconcilable to your MAJESTY's government, and the religion of these kingdoms.

Rejoicings should on this occasion be left to our enemies, and the greatest preparations are accordingly making by France and Spain to celebrate a Peace, by which they have recovered those important conquests, for which so much blood and treasure has been lavished—only for a minister to signalize his incapacity and treachery. But are WE to rejoice, and to join together in thanksgiving, for a peace, by which France recovers Guadelupe, Mariegalante, Desirade, Martinique, St. Peter, Miquelon, Pondicherry, all her settlements in the East-Indies, Goree, Belleisle, &c. her most valuable fisheries, &c. and the antient disturber of the tranquility of mankind, is again put in a capacity of endangering the liberties of Europe? Are WE solemnly to mock God by our rejoicing, that our minister has made a scandalous exchange of the Havannah, so important in itself, and which left all the settlements of Spain in the new world

at

at our mercy, only for the wretched Florida?

I always feel the truest rapture, when I see the most excellent prince in Europe, the delight of his people, appearing in public to subjects, who build their own happiness on that of their amiable monarch. Yet I own, I hope my sovereign will not go on Thursday in solemn procession to St. Paul's, because I fear the censure of the malicious and ill-intentioned. I believe the city of London, so justly renowned for the high spirit of liberty, tempered with the firmest loyalty to their princes, was not gratified with the presence of their beloved King, either after the taking of Martinique, Pondicherry, or the Havannah. If gratitude to heaven in all these great events was shewn by our pious prince rather in private devotion than in any solemn, public act, I should hope (if I may be allowed to form a wish on this great occasion) that the humiliating circumstance of giving up so many and important conquests, was not to be attended with parade or ostentation; for, I confess, I fear the ill-humour, which is too visible in the body of the people, enraged by an ignominious Peace, and the late attack on their liberties, by enlarging the dominion of that accursed fiend, the Excise. I hope, there-

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therefore, that on the day of thanksgiving for the PEACE, his Majesty will only go to Chapel, and that all bloody iron fwords being now sheathed and laid aside, the peaceful wooden sword of state will be carried by that excellent Peace-Officer, Lord George Sackville.

* * * * *
 * * * * * great illuminations
 at the hotels of the French and Spanish
 embassadors * * * * *
 * * * * * Scotland yard
 * * * * * South-
 Audley-Street * * * * *
 * * * * *
 the British Coffee-house * * * * *
 * * * * *
 * * * * * all the Scottish
 tradesmen in the Court, in a blaze * * *
 * * * * *
 * * the Treasury, Admiralty, &c. on fire
 * * * * *
 Egyptian darkness through the city * * *
 * * * * *
 * * * * * all the churches empty
 * * * * *
 * * * * * the bells
 muffled, or tolling the loss of Martinique,
 Guadelupe, the Havannah, &c. &c. &c.

(Vide

(Vide Vol. I. No. 5.)

The DEDICATION, prefixed to
The FALL of MORTIMER:
An Historical PLAY.

Forbad my tongue to speak of Mortimer;
But I will find him when he lies asleep,
And in his ear I'll holla Mortimer!
Nay, I will have a starling taught to speak
Nothing but Mortimer, and give it him,
To keep his anger still in motion, SHAKESP.

T O T H E

Right Honourable Earl of BUTE.
Chancellor of the University of Aberdeen in Scotland, first Commissioner of the Treasury in England, one of the sixteen Representatives of the Peers of Scotland, one of his Majesty's Most Honourable Privy Council, and Knight of the Most Noble English Order of the Garter.

My LORD,

MANY and various motives have concurred to give a peculiar propriety to the fond wish I had formed of making this humble offering to the shrine
of

of Bute. I have felt an honest indignation at all the invidious and odious applications of the story of Roger Mortimer. I absolutely disclaim the most distant allusion, and I purposely dedicate this Play to your Lordship, because history does not furnish a more striking contrast, than there is between the two ministers in the reigns of Edward the third, and of George the third. The former prince was held in the most absolute slavery by his mother and her minister; the first nobles of England were excluded from the king's councils, and the minion disposed of all places of profit and trust. The king's uncles did not retain the shadow of power and authority, but were treated with insult; and the whole royal family was not only depressed, but forced to depend upon the caprice of an insolent Favourite. The young king had been victorious over the Scots, who were in that reign our cruel enemies, though happily in this our dearest friends. On every favourable opportunity, either by the distractions in the public councils during a minority, or by the absence of the national troops, they had ravaged England with fire and sword. Edward might have compelled them to accept of any terms, but Roger Mortimer, from personal motives of his own
 power

power and ambition, hastily concluded an ignominious peace, by which he sacrificed all the glories of a successful war. With the highest rapture I now look back to that disgraceful æra, and I exult when I compare it with the halcyon days of George the third. This excellent prince is held in no kind of captivity. All his nobles have free access to him. The throne is not now besieged. Court favour, not confined to one partial stream, flows in a variety of different channels, enriching this whole country. There is now the most perfect union among all the branches of the royal family. No court minion now finds it necessary for the preservation of his own omnipotence, by the vilest insinuations to divide either the royal, or any noble families. The king's uncle is now treated with that marked distinction which his singular merit is entitled to, both from the nation and the throne, established by his valour in extinguishing a foul rebellion, which burst upon us from its native North; and almost overspread the land. Our sovereign is conscious that he owes more to our great Deliverer than any prince in Europe owes to any subject; and he sets a noble example of gratitude to princes; *que les rois, ces illustres ingrats, sont assez mal-*

malheureux pour ne connaître pas. No Favourite now has trampled upon the most respectable of the English nobility, and driven them from their sovereign's councils. No discord now rages in the kingdom, but every tongue blesses the minister who has in so many ways endeared himself no less to the nobility than to the whole body of the people. *Primores populi arripuit, populumque tributim.* To compleat the contrast, we have now an advantageous, a glorious peace, fully adequate to all the successes, to all the glories of the war.

The internal policy of this kingdom is equally to be admired. Our gracious sovereign maturely examines all matters of national importance, and no unfair or partial representation of any business, or of any of his subjects, is suffered to be made to him, nor can any character be assassinated in the dark, by an unconstitutional Prime Minister. He regularly, by your advice, attends every private council of real moment, and nothing is there submitted to the arbitrary decision of one man. This happy state of things we owe to your lordship's unexampled care of his majesty's youth. The great promise you made us, that we should frequently see our sovereign, like his
great

great predecessor, William the third, presiding in person at the British treasury, has been fulfilled to the advantage and glory of these times, and to the perfecting of that scheme of œconomy so earnestly recommended from the throne, so ably carried into execution by yourself, and YOUR chancellor of the exchequer, as well as so minutely by the lord steward of the household. Your whole council of state too, is composed of men of the first abilities; the Duke of Bedford, the Earls of Halifax, Egremont, and Gower; the Lords Henly, Mansfield, and Ligonier; Mr. George Grenville, and Mr. Fox. The business of this great Empire is not however entirely trusted to them: the most arduous and complicate parts are not only digested and prepared, but finally revised and settled, by Gilbert Elliot, Alexander Wedderburn, Esqrs; Sir Henry Erskine, Bart. and the Home.

Another reason why I chuse your Lordship for the subject of this dedication, is that you are said, by former dedicators, to cultivate with success the polite arts. They ought to have gone further, and to have shewn how liberally you are pleased to reward all men of genius. Malloch and the Home have
been

been nobly provided for. Let Churchill or Armstrong write like them, your lordship's classical taste will relish their works and patronize the authors. You my lord, are said to be not only a Patron, but a Judge, and Malloch adds that he wishes "for the honour of our country, "that this praise were not, almost exclusively, your own," I wish too, for the honour of my country, and to preserve your lordship from the contagion of a malignant envy, that you would not again give permission to a Scottish scribler to sacrifice almost the whole body of our nobility and gentry to his itch of panegyrick on you, or pay from you; and I submit, whether a future inconvenience may not result from so remarkable an instance how certain and speedy the way to obtain the last is, by means of the first.

The progress, my Lord, which almost all the sciences have made in England, has become the jealousy of Europe. Under your auspices Botany and Tragedy have reached the utmost height of perfection. Not only the System of Power, but the Vegetable System has been compleated by the joint labours of your lordship, and the great Doctor Hill. Tragedy under the Malloch and the Home

has

has here rivalled the Greek model, and united the different merits of the great moderns. The fire of Shakespeare, and the correctness of Racine, have met in your two countrymen. One other exotic too I must not forget: Arthur Murphy, Gent. He has the additional merit of acting no less than of writing, so as to touch in the most exquisite manner all the fine feelings of the humane frame. I have scarcely ever felt myself more forcibly affected, than by this poor neglected player, except a few years ago at the Duchess of Queensberry's, where your lordship so frequently exhibited. In one part, which was remarkably humane and amiable, you were so great, that the general exclamation was, here you did not act. In another part you were no less perfect. I mean in the famous scene of Hamlet, where you pour fatal poison into the ear of a good unsuspecting king. If the great names of MURPHY and BUTE, as players, *pen-santur eadem trutinà*, it is no flattery to say that you, my lord, were not only superior, but even unrivalled by him, as well as by all, who have ever appeared on the great stage of the world. As a writer, I take Mr. Murphy rather to excel you, except in points of Orthography:

phy: as an actor, he can form no pretension to an equality. Nature indeed in her utmost simplicity we admire in Mr. Murphy; but art, art, characterizes your lordship.

This too gives your lordship a claim to the dedication of this Play. You are perfect in every thing respecting the powers of acting. Your whole mind has been formed to it. All your faculties have been directed to this important object. While Mr. Pitt, Lord Temple, and others, your cotemporaries, were preparing themselves for the national business of parliament, and already taking a distinguished part there, you, after a seven years SERVICE in the House of Peers, condescended to tread many a private stage in the high buskins of pompous, sonorous tragedy. With what superior success I record with pleasure. Mr. Pitt and his noble brother are now both in a private station. You have, almost exclusively, the smiles of your sovereign; they only the empty applause of their country. This too they share with others; a Duke of Newcastle and Devonshire; a Marquis of Rockingham, an Earl of Hardwick, and the two spirited, young nobles, who stand so high in fame and virtue, whom England glories that

that she can call her own, the Dukes of Grafton and Portland. These distinguished characters must ever be respected by your lordship, for their ardent love of our Sovereign and liberty, and honoured by this nation as the declared, determined, and combined enemies of despotic, insolent, and contemptible favouritism.

As Tragedy and Botany have thus reared their heads, give me leave to recommend to your lordship one important point respecting the Sciences, and the Belles Lettres, which still remains unsettled: I mean Orthography. The French Academy has fixed it for their nation; yet a bold modern, Voltaire, has dared to deviate from their rules, and has endeavoured to establish a new Orthography, still nearer approaching to the modern pronunciation. I have seen, and admired, some curious specimens of your Lordship's labours of this kind, most happily adapted even to the female mode of pronunciation, which with me as well as with a polite nobleman, must ever bear the palm, if not of correctness, yet of grace and elegance. Indeed, my Lord, the letters I allude to are so curious, that I wish for a *fac simile* of them, as we have of one of the famous genuine letters

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of your countryman Archibald Bower. They would, I am persuaded, excel all the curious manuscripts of this kind in your own University of Aberdeen, or among the immense collection of learned books of your late valuable purchase, the Argyle Library. May I not therefore hope that as the Definitive Treaty is now signed, your Lordship's labours will be directed to this important point, and that we may expect to see a compleat Orthographical Dictionary, to determine the knotty point of Britain for Briton, which has of late puzzled that great writer, the great BRITON himself, notwithstanding the excellence of his Scottish education? Ease and elegance will, I am persuaded, still attend your Lordship as inseparably as they have ever done, nor will you in this case be in danger of being forsaken by them, when, as Benedict (or, if you please, in your own botanical phrase, *Carduus Benedictus*) says, now he is turned Orthographer, his words are a very fantastical banquet, just so many strange dishes.

I should have added, my Lord, that the Play I make an offering of is a Tragedy, the most grave and moral of all poems, and therefore with a happy propriety comes inscribed to your Lordship,
the

the most grave, the most moral of all men. A witty comedy, I would never have offered to your Lordship, nor indeed to any of your countrymen. Wit is an *ignis fatuus*, which bewilders and leads us astray. It is the primrose path, which conducts to folly. Your Lordship has never deviated into it. You have marched on with solemn dignity, keeping ever the true tragic step, and have on the greatest occasions (So known, SO honoured ——— in the House of Lords*) exhibited to the world what you learnt on the stage, the most pompous diction with the boldest theatrical swell, infinitely superior to all the light airs of wit or humour. The easy sock of laughing comedy you never condescended to wear.

I have only one thing more to urge to your Lordship. The Play is quite imperfect. Your Lordship loves the stage: so does Mr. Murphy. Let me intreat your Lordship to assist your friend in perfecting the weak scenes of this Tragedy, and from these crude labours of Ben Johnson and others, to give us a compleat Play. It is the warmest wish of my heart, that the Earl of Bute may

* A line of Mr. Pope, speaking of Lord Mansfield.

speedily compleat the story of Roger Mortimer. I hope that your Lordship will graciously condescend to undertake this arduous task, to which parts like your's are so peculiarly adapted. A variety of anecdotes in real life will supersede the least necessity of poetical fiction. To you every thing will be easy. The fifth act of this Play will find talents great as your's still in full vigour, even after you have run so wonderful a career. If more important concerns, either of business, or amusement, engage you too much, I beg, my Lord, that you will please royally to command Mr. Murphy, as Mr. Macpherson says you commanded him to publish the prose-poems of Fingal and Temora. Such a work will immortalize your glory in the literary, as the Peace of Paris will in the political world, and when the name of Roger Mortimer shall be mentioned, that of Bute will follow to the latest times.

Give me leave now, my Lord, to offer my thanks as an Englishman, for your public conduct. At your accession to power, you found us a distracted, disunited nation. The late abandoned minister of the people had wickedly extended every art of corruption through all ranks of men, the senate (I speak of
the

the late venal Parliament) not excepted. You, my Lord, have made us an united and happy nation. Corruption started like a guilty thing, upon your summons of Mr. Fox, nor have I heard of a single instance of any undue, unconstitutional influence exerted in the senate. I now speak of the present, virtuous Parliament. Your Lordship too from every foreign Court has received the most flattering testimonies of an unbounded confidence in your veracity and good faith, equal to their just sense of your transcendent abilities.

I beg pardon, my Lord, for having so long detained the patriot minister of the patriot king, from the great scenes of foreign business, or the rooting out corruption at home, or the innocent employments of his leisure hours. I hope Doctor Hill and the Home will forgive me, and that the great triumvirate having compleated a glorious, and permanent peace, may in learned ease, under the shade of their own olive, soon enjoy the full sweets of their own philosophy; for as Candide observes, *Cela est bien dit, mais il faut cultiver notre jardin.* In your softer, more envied hours of retirement, I wish you, my Lord, the most exquisite pleasures under the shade of the Cyprian

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Mirtle. Your patriot moments will be passed under the shade of your Scottish Fir.

I will no longer intrude on your Lordship. The Cocoa Tree and your countrymen may be impatient to settle with you the army and the finances of this kingdom. I have only to add my congratulations on the peculiar fame you have acquired, so adequate to the wonderful acts of your administration. You are in full possession of that fame at the head of Tories and Scotsmen; but alas! my Lord, how fantastick as well as transitory is fame! The meanest have their day — and though Mr. Pitt is now adored, as the head of Whigs and Englishmen, the greatest can but blaze, and pass away.

I am, with a zeal and respect equal to your virtues,

My Lord,

Your Lordship's

Very humble Servant.

March 15, 1763.

PUBLIC ADVERTISER,

Monday, May 16, 1763.

The following Letters, &c. we can assure the Public are genuine, and the Originals of some of them, are in the possession of the Earls of Egremont and Halifax.* They are presented to the Public, because they bear an immediate Relation to the NORTH BRITON, altho' they relate to a Paper of the 21st of August of the last Year.

L E T T E R S, &c.

MR. Secker presents his compliments to Mr. Wilkes, he has been three times at his house to wait on him from Lord Talbot. Mr. Secker would be obliged to Mr. Wilkes, to let him know by a note directed to him at Mr. Holford's, St. James's Palace, where and what time Mr. Secker could speak to him

* These two Lords were then Secretaries of State, and besides many other illegal acts, gave orders for the seizure of Mr. Wilkes's papers, on a suspicion, not confirmed by oath, of his having written a pretended libel.

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this afternoon. If he does not hear from Mr. Wilkes, will wait on him by nine o'clock to-morrow morning at his house.

Sept. 10.

Half an hour past two o'clock.

Directed, To John Wilkes, Esq;

MR. Wilkes's compliments to Mr. Secker, was not acquainted till this minute by his note, that Mr. Secker had once called in Great George-Street, shall be at home from seven till eight this evening, and as Mr. Wilkes shall be alone, he supposes at this meeting Mr. Secker will bring no company.

Great George-Street,
Friday afternoon, five, Sept. 10.

Directed, To Mr. Secker, at Mr. Hol-
ford's, St. James's Palace.

MR. Secker's compliments to Mr. Wilkes, he will wait on him alone this evening between seven and eight.

St. James's,

Directed, To John Wilkes, Esq;

S I R,

S I R,

AS I have received no answer to a letter I wrote to you on the 25th of August, and find, by sending to your house in town, that I can have no immediate opportunity of seeing you, I am forced again by letter to ask if you avow or disclaim being author of the paper entitled the North Briton, of the 21st of August.

Bolton-Street,
Sept. 10, 1762.

TALBOT.

Directed, To Col. Wilkes.

Great George-Street, Friday Sept. 10.

My LORD,

IBeg your Lordship to do me the justice to believe that I have never yet received the letter to me at Winchester, which Mr. Secker tells me was sent there a fortnight ago. I have just now the honour of your Lordship's by that gentleman. Your Lordship asks if I avow or disclaim being author of the paper entitled the North Briton, of the 21st of August. My answer is, That I must first insist on know-

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knowing your Lordship's right to catechise me about an anonymous paper. If your Lordship is not satisfied with this, I shall ever be ready to give your Lordship any other satisfaction becoming me as a gentleman. I am,

My Lord,

Your Lordship's

Most obedient humble servant,

JOHN WILKES.

Directed. To Earl Talbot.

Winchester, Sept. 14, 1762.

My LORD,

I Left Winchester with Lord*Effingham's leave, on the second of August, and did not return to this city till the 12th of this month. My drum-major brought me your Lordship's letter yesterday. I now return it with the seal unbroke, as the clearest demonstration that I never have read the contents of it. I suppose

* Commander in chief of the troops in and near Winchester.

they

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they are the same with the letter I had the honour of receiving and answering by Mr. Secker. I am,

My Lord,

Your Lordship's

Most obedient humble servant,

JOHN WILKES.

Directed, To Earl Talbot.

S I R,

I Suppose you have by this time found the letter I wrote directed to you at Winchester, and that hath acquainted you why I addressed myself to Mr. Wilkes, to enquire if the North Briton of the 21st of August was written by him. I well know every gentleman who contributes to support periodical papers by his pen is not answerable for all the papers that appear under the title of that which he assists, but I cannot conceive that any man should refuse to assure a person who hath been the object of the wit of any paper, that he was not the author of a paper he did not write. Every man's sense of honour ought

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ought to direct his conduct, if you prefer a personal engagement to the denying being the author of a paper that hath been so free with my name; I, who am publicly affronted by that paper, cannot in honour avoid requiring the satisfaction you seem most desirous to give. Be pleased to write or send to me as soon as you have determined what part you will act. I shall be in London Thursday and Friday next, and this day se'nnight, after which I shall not be in London till Thursday the 23d. I am,

S I R,

Bolton Street,
Sept. 12, 1761.

Your humble servant,

TALBOT.

Directed, To Col. Wilkes.

Winchester, Sept. 16, 1762.

My LORD,

I Had not till yesterday the honour of your Lordship's letter of the 12th, and embrace this earliest opportunity of acknowledging it. Your Lordship has not yet, in my poor idea, ascertained the
right

The NORTH BRITON. III

right you claim of interrogating me about the paper of the 21st of August, and I will first know the very good authority on which I am thus questioned, before I will return any answer whatever.

Your Lordship desires me to write or send to you as soon as I have determined what part I shall act. I intended my first letter should have made that sufficiently clear. I am,

My Lord,

Your Lordship's

Very humble servant,

JOHN WILKES.

Directed, To Earl Talbot.

S I R,

I Have this instant received your's of the 16th. It is your own declaration before men of truth and honour, that you occasionally assisted the paper called the North Briton with your pen, that is the foundation of my interrogating you about the North Briton of the 21st of August—and whatever may be your idea, mine is, that when a gentleman

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man owns himself an occasional author of an anonymous satyrical paper, any person by name ridiculed in such an Hebdomadal performance hath a right to ask the occasional avowed writer, if he was the author of the offending paper.

You may now, Sir, answer my question or not; I have offered to put myself upon that footing with you that became a man who hath spirit, and is influenced by honour——If you do not deny the paper, I must and will conclude you wrote it.

Bolton-Street,
Sept. 17, 1762.

Your humble servant,

TALBOT.

Directed, To Col. Wilkes.

Winchester, Sept. 21, 1762.

My LORD,

SUNDAY's post brought me your Lordship's of the 17th, and by the return of it this waits on your Lordship.

You are pleased to say, that it is my own declaration; before men of truth and honour, that I occasionally assisted the paper called the North Briton. I wish your Lordship had been more explicit,
and

and had mentioned the name of any one gentleman before whom I made that declaration. Was it made in public? or was it in private conversation? Still I have the misfortune of not yet seeing your Lordship's right of putting the question to me about the paper of the 21st of August; and till I do, I will never resolve your Lordship on that head, though I would any friend I have in the world, who had the curiosity of asking me, if it was in a civil manner.

Your Lordship says, that if I do not deny the paper, you must and will conclude I wrote it. Your Lordship has my free consent to make any conclusions you think proper, whether they are well or ill grounded; and I feel the most perfect indifference about what they are, or the consequences of them.

I intend at present to make a tour on Thursday to the Isle of Wight. I shall return to this city the beginning of the next week. I am,

My Lord,

Your Lordship's

Most humble servant,

JOHN WILKES.

Directed, To Earl Talbot.

Win-

Winchester, Sept. 30, 1762.

S I R,

LORD Talbot, by your message, has at last brought this most important question to the precise point, where my first answer to his Lordship fixed it, if he preferred that. As you have only seen the two last letters, I must entreat you to cast your eye over those preceding, because I apprehend they will justify an observation or two I made this morning, when I had the honour of paying my compliments to you at camp.

Be assured that if I am between heaven and earth, I will be on Tuesday evening at Tilbury's, the Red Lion at Bagshot, and on Wednesday morning I will play this duet with his Lordship.

It is a real satisfaction to me, that his Lordship is to be accompanied by a gentleman of Colonel Berkeley's worth and honour.

This will be delivered to you by my adjutant, who attends me to Bagshot. I shall not bring any servant with me, from the fear of any of the parties being known. My pistols only or his Lordship's, at his option, shall decide this point.

The NORTH BRITON. 115

I beg the favour of you to return me the letters, as I mean to leave Winchester this evening. I have Lord Bruce's* leave of absence for ten days."

I am, with sincere regard,

S I R,

Your very humble servant,

JOHN WILKES.

I hope that we may make a *partie quarree* for supper on Tuesday at Bagshot.

Directed, To Col. Berkeley.

S I R,

I Have read all the letters, and shall depend upon the pleasure of supping with you at Tilbury's the Red Lion at Bagshot Tuesday evening. My servant will attend me, as the going alone would give room for suspicion but you may depend upon his following your direction at Bagshot and that he shall not be seen where you would not have him—I am

* In the absence of Lord Effingham the command devolved on Lord Bruce,

much

116 The NORTH BRITON.

much obliged by your favourable opinion
and am

Your humble servant,

N. BERKELEY.

Camp near Winchester,
Sept. 30, 1762.

Inclosed is a copy of a letter received
by Mr. Stanley this afternoon. [It related
to the taking of the Havannah.]

Directed, To Col. Wilkes.

(Vide Vol. II.)

LADY Wiseacre.—The University of
Oxford, founded by King Alfred.

Lord Sapling.—Lord Suffolk.

Lord Safe.—Lord Foley.

Capt. Giddy.—Lord Litchfield.

Former Wife.—The Old Interest, or
Jacobitism.

Blue and green spots.—Alluding to the
different coloured ribbands wore by the
two parties, as badges of their affection
to the cause they espoused,

Incapable of being her Husband.—There
was a particular statute in the University,
that no person who was a freeman of the
City of Oxford, could be a member of
the University; whereby it was deter-
mined,

mined, that Lord Litchfield, who was a member of the Taylors company, was disqualified from being elected Chancellor. Very soon after Lord Westmoreland's election, in order to remove this obstacle on another occasion, he had interest enough to get this statute repealed.

Those who ought to have read to them.—The Professors in every science, who have large salaries to read public lectures, but are so idle and infamous as not to do it.

Mrs. Brown, the Housekeeper.—Doctor Brown, the present Vice-Chancellor.

The Head Servants.—The Heads of Houses.

The Scullery.—A place called Golgotha ; where the Heads of Houses always meet to consult about the business of the University.

Lawyer Keen.—Dr. Blackstone, Vinerian Professor of civil law, and Principal of New-Inn Hall.

Mr. Puff.—Dr. Niblett, Warden of All-Souls College, commonly called Puff Niblett, from his puffing and blowing whenever he speaks.

Twenty thousand pounds placed on the wrong side the Book.—A very few years ago, Dr. Blackstone being chosen one of the delegates of the University press, inspected the accounts, and found there
ought

ought to have been in the chest twenty thousand pounds, not a farthing of which sum could be produced or accounted for, it having (as is generally imagined) been spent in feasting, &c. which work of iniquity he published to the whole University.

Another Lawyer.—Lord Mansfield.

A countryman of your's, Mr. North Briton.—Alluding to the influence Lord Bute had on some colleges, and his sending them a peremptory order to vote for Lord Litchfield.

The Captain's own house.—The Chancellor was installed at Ditchly, by a deputation of the members of the University.

(Vide Vol. II.)

NORTH BRITON,

No. 38. Feb. 19, 1763.

“ IF ever you are pressed to give your
 “ assent to an enquiry into the past
 “ management of the public revenue,
 “ avoid the yielding to it as long as possible : it will fatally recoil on yourself.
 “ If you are at last forced to give up the
 “ point,

“ point, boldly promise a Commission of
 “ all public accounts. You may after-
 “ wards swear, that you only engaged
 “ for a Committee, and never thought of
 “ a Commission. The poor creature,
 “ who will seem so very earnest in it, will
 “ be easily duped ; perhaps indeed he
 “ will desire to be duped.”

On Tuesday the 22d of February, 1763, the House of Commons resolved itself into a committee of the whole house, to consider of the most proper and effectual method of examining, taking, and stating the public accounts of the kingdom. Sir John Philipps first drew up a motion, “ That it is the opinion of this
 “ committee, that the most proper and
 “ effectual method of examining, taking,
 “ and stating the public accounts of this
 “ kingdom, is by commissioners, to be ap-
 “ pointed by This House for that pur-
 “ pose.” He then changed from, “ to be
 “ appointed by This House,” to the words,
 “ to be appointed by Act of Parliament.”
 He afterwards withdrew this motion, and then moved, “ That it is the opi-
 “ nion of this committee, that the me-
 “ thod of examining the public accounts,
 “ best adapted to the constitution of this
 “ kingdom, and most likely to be pro-
 “ ductive of real benefit to the public,
 “ is

“ is not by appointing commissioners for
 “ taking, examining, and stating those
 “ accounts at large, but by instituting
 “ a special enquiry into such particular
 “ public services, or such articles of any
 “ particular service as shall appear to the
 “ house to require a more minute and
 “ strict examination than is provided for
 “ by the estimates and accounts which
 “ are laid before the house in the ordi-
 “ nary course of their proceedings.”

Sir John withdrew this motion likewise.

At last the committee resolved, “ That
 “ it is the opinion of this committee,
 “ that the house be moved, that a com-
 “ mittee be appointed to take into con-
 “ sideration the several estimates and ac-
 “ counts, presented to this house, either
 “ in the present, or in any former session
 “ of parliament, which relate to the ap-
 “ plication or expenditure of the public
 “ money, since the commencement of
 “ the late war.”

A

NORTH BRITON
Extraordinary ;

Which was printed, but never published.

*Dicere verum
Quid vetat ?*

THURSDAY, April the 7th, 1763.

WHATEVER difference we may find in other respects between the present and late minister, in the exertion of a determined and inflexible resolution, they certainly bear a near resemblance to each other. One distinction, indeed, ought to be made even here, that Mr. Pitt's resolution arose from conscious virtue, and the Earl of Bute's from conscious power ; but to the credit of the latter we must observe, that he hath shewn as inflexible a spirit in supporting every measure which was wrong, as the former could possibly maintain in promoting what was right. Regardless of all petty and private considerations, blessed with the most excellent qualities of head and

VOL. III. G heart,

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 “ taking, examining, and stating those
 “ accounts at large, but by instituting
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VOL. III. G heart,

heart, and sincerely attached to the interests of his country, Mr. Pitt proceeded with that well-grounded confidence, to which he was intitled by those qualifications, and in which he was justified by the most extraordinary success. Without any real regard to this country, wholly engrossed by private views, the qualities of his head as yet doubtful, and those of his heart too plain, the Earl of Bute hath, through his administration, behaved with that insolence, which in narrow minds is always the consequence of power. When I mention insolence, I would be supposed to include meanness; for they always are to be found in the same place; and however different they may appear, wait only for a difference of circumstances to call them forth, and to prove them inseparable. In both these virtues, I apprehend, the present minister stands unrivalled, and the infection seems to spread through all his coadjutors. Numberless instances might be produced to justify this remark; but no one is more proper, and better calculated to shew both these excellent qualities operating at one time, and on the same subject, than the treatment which our East-India company in general, and Mr. Rous, a very worthy member of it in particular, have met with.

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with. However triflingly this affair may have been talked of, it is, in reality, of very serious and general consequence. At this time especially, when their election is drawing nigh, it is highly necessary that a clear and full account of that affair, with the real merits of the case, should be laid before the public; for putting it in our power to perform which, we are greatly indebted to the correspondent who hath favoured us with the following letter.

To the NORTH BRITON.

S I R,

AS a proprietor, I thought it not only my interest but my duty, to attend the general court, when the conduct of Mr. Rous was to be examined. I cannot deny but, from the reports which were spread abroad, I was greatly prejudiced against that gentleman, and flattered myself with some degree of merit, if I could be instrumental in giving him up to public censure, which I had been taught to think he had deserved. For certainly, Sir, I could never be justified in supposing him innocent, however boldly he might stand on his defence, when the

honour and uprightness of the minister was engaged to prove him guilty ; and when a court of directors had considered his misdemeanor as so gross and palpable, that they would not even hear him ; that, when called upon, they would not enter into the affair, would not give him an opportunity of explaining his conduct, but forced a friend of that gentleman's to move for his being called to an account at a general court, as one guilty of misconduct, merely to give him an opportunity of proving to the public, that his conduct had been fair and irreproachable. This I could never have believed without proof, though, at the meeting, the proof was too strong to admit of the least exception. Mr. Rous defended himself in such a manner as to turn the shame, intended for him, on his adversaries ; he proved his behaviour not only to have been undeserving of reproach, but even worthy of approbation, and the result of that affair was exactly what every candid man would have wished, what his friends expected, what his enemies feared, but what a stranger, as I was, could never have suspected. As I considered this affair as of the greatest consequence to the future welfare of the company, I was particularly attentive to every thing which passed.

passed, I took down the substance of Mr. Rous's defence for my own use, which I now transmit to you for the satisfaction of the public, and on which you are at liberty to make what remarks you think proper, or to leave every reader to make his own. You will observe I have taken this affair merely as it was considered, immediately relative to Mr. Rous, and as the affairs of the company were naturally interwoven with his justification; but should be glad if you will in your remarks bring it down to the present time.

The two grand objects of the company, even from the time of commencing the negotiation, under Mr. Pitt's administration, have constantly been:

1. A total exclusion of the French from Bengal, where the company enjoy extensive and valuable possessions, and from whence they derive their most profitable trade.

2. In the restitution of French territories, to fix such a period as would leave them nothing more than places of trade, without a single acquisition of territory by conquest or grant from the country powers, and it was found that the year 1744 or 1745 would effectually answer this purpose.

These views of the company were communicated to Mr. Pitt, in a letter from the chairman, dated the 27th of July 1761, and at that time France acquiesced in what was then proposed.

On the 4th of June 1762, a copy of the letter, mentioned above, was transmitted to Lord Egremont, in consequence of a conversation which had passed between Mr. Sullivan and his Lordship, in which his Lordship had been made acquainted with the contents of that letter, and had desired to see a copy of it.

On the 22d of June, Mr. Dorrien and Mr. Sullivan had a conversation with Lord Egremont, in which his Lordship observed, on the letter to Mr. Pitt, that it conveyed the outlines of a plan of pacification; but he should be glad, in the most distinct manner, to know the company's expectations, and particularly, if they were ready, in return for excluding the French from Bengal, to give them back all their other Comptoirs; to which he was answered, that the chairman and deputy would obtain powers from the court of directors for the transaction of this affair; which method his Lordship seemed to approve; but when he was reminded, on desiring that their sentiments might

might be delivered at large in writing, that the French should be the first proposers, he declared, That the company should not be made acquainted with the propositions made by the French, though before the whole was concluded, the gentlemen in the direction should know their objections.

The gentlemen were repeatedly asked, by Lord Egremont, if the company would be satisfied with excluding the French from Bengal (which, his Lordship said, he believed they would not submit to) and granting them all their factories and former possessions on the Coromandel coast? To this, answer was made, That it was meant the French should, in that case, possess all which they had possessed before the year 1745, but no grant whatsoever since that period; and that they also meant to exclude the donations to Mr. Duplex and others. They likewise expressed their wishes, that both companies might be prevented from making war with each other, or, at least, that the French might be limited to a certain number of troops: the first of which his Lordship declared to be impossible; and the latter to be such an indignity as no nation would bear.

On the 24th of June, the chairman deputy, and Mr. Sullivan, in consequence of the preceding day's conversation, agreed on the outlines of a plan to be drawn up, as the private sentiments of those three gentlemen, which the chairman was desired to communicate to Lord Egremont.

On the 25th of June, Lord Egremont received this paper from the chairman, and said it was sufficient for his private information; but at the same time said he apprehended the French would not be prevailed upon to give up the Bengal trade.

On the 9th of July, Mr. Wood, deputy secretary of state, had a meeting at the India House, with the chairman and deputy; at which he told them, That Lord Egremont expected a very regular plan of the company's expectations to be laid before him; and they had conversation concerning India.

On the 16th of July, Mr. Wood came again to the India-House, and informed the chairman and deputy, That he had directions to lay before them his Lordship's sentiments, relative to the conversation of the 9th in writing; which he did, by a letter delivered to them then, but dated the 9th of July, in which was
con-

contained, That Lord Egremont having been informed, by Mr. Wood, that those gentlemen understood the only matter relative to the interests of the company, as far as they become an object in future negotiation with France, to be contained in Mr. Sullivan's letter to Mr. Pitt, his Lordship considered that as the only matter lying before him from the secret committee, and that every thing else communicated, or that had passed in conversation, was not to be made use of—intimating, that it might not be amiss for the secret committee to be provided with the necessary powers, and to digest their thoughts relative to the interests of the company, so far as they might become an object of consideration for his Majesty's ministers, when the two crowns should come to treat of those affairs.

On the 21st of July, agreeable to what had been settled by the secretary of state, the secret committee (consisting of the chairman, deputy, Mr. Gough, and Mr. Tullie) were employed at a court of directors, to form a plan for the benefit of the company, to be laid before the ministry, and were also empowered to call in the assistance of any other person, and to report.

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Soon after the secret committee met, with Mr. Hume and Mr. Sullivan, when those gentlemen desired time to give their thoughts in writing.

On the 12th of August, those two gentlemen produced their sentiments in writing ; but Lord Clive, who was then present, not having been prepared, gave his opinion only in discourse.

At these and other consultations Mr. Sullivan strongly recommended the giving back to the Indian powers the territories adjacent to Masulapatnam, and to make Masulapatnam a neutral city, where each company should have a factory ; but neither should be allowed to erect fortifications. This was exactly the doctrine laid down in his plan above-mentioned.

On the 1st of September, at a court of directors, the chairman, after communicating the proceedings of the secret committee, intimated to the court, that lest more considerable offers should be expected, the cession of the territories of Masulapatnam unto the Subah of the Deckan had been thought of, for rendering the terms of which the plan consisted more admissible to the ministry ; but that the secret committee, not apprehending themselves justified in coming to any resolution in so material a point, he desired

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fired the sentiments of the court thereupon ; and the court, after mature debate, unanimously agreed (excepting the deputy chairman, and another gentleman) that it was not proper to give up to the country powers the revenues of Masulapatnam, amounting to 50,000 l. a year ; and that therefore it should be no part of the plan to be laid before the government.

The above resolution was confirmed at the next court of directors.

The plan, which had been approved by the court of directors on the first of September, was left by the chairman at Lord Egremont's office on the 4th. It consisted of twelve articles, submitted with the greatest humility to the consideration of the ministry, enforced with the strongest arguments, and so clearly worded, explicitly commented on, that it was impossible the ministry should not have the clearest ideas of the company's interests in India.

In consequence of delivering in this plan, a letter was received from Mr. deputy secretary Wood, dated the 11th of September, importing Lord Egremont's disappointment in not finding such lights in it, as might facilitate what he has extremely at heart, which is to procure

cure the most advantageous terms possible for the company, when a peace shall be concluded. His disappointment in not seeing such a confidential communication of their real expectations, as he thought the government entitled to, from the support afforded to the company during the war—his observation, that if the company asked more than they expected to get, they not only laid a very useless load on the secretary of state, who was disposed to get even more than they asked, was it possible, but also confined and clogged the best intentions in their favour—his declaration—notwithstanding his sincere regard for the company, as a part of the whole, not to lose sight of the latter great object for any partial considerations. Mr. Wood's private opinion—that should the secretary of state find it impossible to keep up to the sentiments of the secret committee, with regard to what is to be insisted upon, the company would find it full as difficult to succeed in a negotiation, which they seem desirous of managing themselves.

On the 16th of September the chairman waited on Lord Egremont, in order to obtain an explanation of Mr. Wood's letter of the 11th. His Lordship expressed great displeasure in regard to the sentiments

timents of the secret committee, which had been transmitted to him; and when he was assured by the chairman of the disposition of the directors to do every thing in their power to facilitate an accommodation with France, and was intreated to point out in what manner the directors might be able to promote that good purpose——His Lordship——declined giving any answer. But although his Lordship was backward in declaring his sentiments, his secretary was not at all so; and very freely and without reserve charged the chairman with chicanery and dealing uncandidly with the government.

Thus treated without doors, and beset (to say no more) within, the secret committee began seriously to consider what might be the consequence of the company's being deserted by the ministry in the negociations of peace. They considered of alterations and new propositions, which might be more favourably received by the ministry, and resolved once more to take the opinion of the court of directors upon the point of giving up to the country powers the revenues of Masulapatnam, notwithstanding the resolutions of the two former courts. By this time the court of directors took the alarm, they saw to what a precarious situation the company would

would be reduced if they were not included in the peace, and therefore, in hopes of obviating all farther difficulties, they determined, though by a very small majority, to agree to a paper laid before them on the 22d of September, for restoring these revenues and territories to the country powers. This paper was left by Mr. Dorrien at Lord Egremont's office, on the 30th, under the title of the farther sentiments of the secret committee, submitted to the ministry, being a supplement to their sentiments of the fourth.

The first notice taken of this paper of the 29th of September, was in a letter to Mr. Dorrien from Mr. Wood, dated the 16th of October; in which he mentions that a hurry of business had prevented his returning, agreeable to Lord Egremont's order, the above-mentioned paper, and that he should be glad to put it into the chairman's or deputy's hands, and explain why it was of no use, concluding with these remarkable words—his Lordship not chusing to meddle where he may do harm, or where it is put out of his power to do good.

In a subsequent conversation between Mr. Wood and Mr. Dorrien, on the 20th of October, Mr. Wood declared he had orders

orders from Lord Egremont to say, that—as this was the first time the government had taken upon themselves to make a peace for the East-India company, he expected they would have acted with candour and openness to him; but as he found they had only a mind, to throw off a weight from their own shoulders and burthen his Lordship with it, he was determined not to submit to such usage, as it was no part of his duty to settle a peace for the company, but had only offered it in regard to them, and that the proposals first delivered were such as he should have been ashamed to offer to the French ministry. That the supplement being delivered so long as twenty-six days after the first memorial, Lord Egremont did not think proper to regard it: had both come together, the plan might have been reasonable. He added, that, it had in the general preliminaries been proposed to France to restore her Comptoirs or factories on the coast of Malabar and Coromandel, as also in Bengal, and a trade allowed them up the Ganges, but that they should raise no fortifications at the latter place, nor be suffered to have any armed force there: this they had agreed to, but with their usual artifice, in saying, all their possessions, instead of
their

their comptoirs, should be restored; which word having a great latitude, he, Mr. Wood, advised Lord Egremont by no means to admit of—That the above memorial being delivered in the interim, his Lordship had dropt making any reply, and there the affair rested; but that his Lordship had entrusted him, in case he met with any gentleman in the direction he thought proper to open it to, to say, that notwithstanding he had declined taking any thing upon himself, yet, if the company would prepare one general article to be inserted in the Preliminaries, his Lordship would try to serve them—After some discourse, Mr. Wood himself drew up the following article, which the deputy chairman desired he might lay before the secret committee, as he could not without their consent venture to agree to any thing of himself.

All the comptoirs taken in India, either by the French, or English, to be restored. The French and English to have nothing more than factories at Masulapatnam: the town and its dependences, to be restored to the Nabob; an hundred soldiers to be kept if thought proper by each nation, for protection of trade.

The French, though restored to the trade of the Ganges, and to mere factories
for

for that purpose, are to have no troops or fortifications there.

After this, Mr. Wood declared that Lord Egremont could not meddle any farther, nor deviate in the least from the article the company should propose, and that in case they were left out by being unreasonable in their demands, the blame must fall upon themselves, and his Lordship should not postpone the public peace on their account, if the other terms could be settled: he then desired that what the company had to offer might be delivered on Friday morning before ten o'clock, this being Wednesday; there being a council appointed for that day, and he did not doubt but he should prevail upon Lord Egremont to receive it.

This conversation and article were taken into consideration by the secret committee, on the 21st of October, and on the 22d the chairman and deputy waited on Lord Egremont, and requested farther time, that the secret committee might consider the terms to be offered in behalf of the company, according to this (curious) article, drawn up, and delivered by Mr. Wood. His Lordship readily acquiesced with this request, and said, he would send them the article to be proposed, for their consideration, sub-
ject

ject to such alterations, as they should think proper, which should be sent to the court of France, and then the committee should be made acquainted with the result thereof, and be informed from time to time, what passed on the subject.

The chairman and deputy expressed their concern in having incurred his Lordship's displeasure, by not fully answering the expectations of government in the memorial offered by the secret committee. To which his Lordship answered, he would argue the case coolly and without resentments; but that he thought the committee were not candid in offering such terms, as they could not expect the French to comply with. The chairman and deputy then entered into the views of that memorial, and represented the great danger of restoring to the French the territories they had formerly possessed in the Carnatic, as the company would thereby risque the great debt due to them from the Nabob, after having engaged in a long and expensive war, to prevent the French from aggrandising themselves, according to Mr. Duplex's ambitious views. That these considerations induced the company to give it as their real sentiments, that the French ought to be restored only to the
state

state they were in on that coast before the year 1744, and confined as much as possible to a mercantile system; and at the same time to remove a subject of future diffentions, they had been induced to relinquish their own pretentions to Masulapatnam, thinking likewise that this offer might prevent any obstacle to the general peace; to which his Lordship replied, he could see no reason for such a concession, nor that it would answer any purpose; however, at least, it ought to be kept in reserve.

At eight o'clock, the very same night (Friday the 22d of October) a message was sent by Mr. Wood, in writing, to the chairman, inclosing the following preliminary article, by lord Egremont's order, and signifying at the same time that his lordship would dispatch his messenger on the morrow night, or Sunday morning.

“ In the East-Indies England shall
 “ restore to France the several comptoirs
 “ which that crown had before the present war, on the coast of Coromandel
 “ and Malabar, as well as in Bengal;
 “ but the comptoirs in this last part of
 “ India shall not be restored, but on
 “ condition that his Most Christian Majesty obliges himself not to erect any
 “ forti-

“ fortification, nor entertain any troops
 “ there, and the Most Christian King
 “ engages to restore to the King of
 “ Great-Britain all the conquests, that
 “ may have been made by the French
 “ forces over the English in the East
 “ Indies.”

This article thus sent down late at night, and on which no further time for deliberation was given than the next day, was laid before the secret committee about noon, on Saturday the twenty third of October. It was in vain to hope for any alteration in respect to Bengal, and equally in vain to mention the year 1744 as the Period of restitutions, and extremely difficult to fix a precise meaning to the word Comptoirs, which (if it included settlements, factories and possessions) would instantly restore to France that immense extent of trade, territory and power, which nothing but providence had prevented, after the commencement of the war, from bringing utter ruin on our company.

In this dilemma all that the secret committee could do, and more, indeed, than they could expect to succeed in, according to the present humour of the ministry, was to make some alterations in the period of *uti possidetis* now set down

to them ; and with this view they came to a resolution to return the article altered as follows :

“ In the East-Indies England shall restore to France the several settlements which that crown had at the commencement of the present war between the two companies in India, viz. in 1749, on the coasts of Coromandel, and Malabar, in the condition they shall be found ; and also the comptoirs they had in Bengal. But these restorations shall not be made but on condition that his Most Christian Majesty renounces all claim to subsequent acquisitions, and obliges himself not to erect any fortification, nor entertain any troops in Bengal ; and the Most Christian King engages to restore to the King of Great Britain all the conquests that may have been made by the French forces over the English in the East-Indies.”

The committee also sent up, at the same time, two articles, which they intreated might be made part of the Preliminaries, or be considered in the general treaty.

The first related to acknowledging the rights of the present Subah of the Decan, and the Nabob of the Carnatic.

The

The second, to the restoration of the Chinese families and slaves carried from Bencoolen by the Count d'Estaing, and a reimbursement of the charges incurred by the English company, on account of the French prisoners of war. A letter was also approved by the committee, and designed by the chairman and deputy, in which all ambiguity of expression was carefully avoided, and the reasons of the several alterations in the Preliminary Articles plainly and forcibly laid down.

On Sunday the 24th of October, the chairman received a message from Mr. Wood, desiring to have some conversation with him that day, or next morning. The chairman accordingly waited on him, and was told, There having been no actual war in India between the two companies, in the year 1749, that those words, "the present war," seemed improper: it was therefore agreed, That the commencement of hostilities should be inserted in their stead, which would cure the impropriety without altering the sense of the article.

On Monday the 25th, at ten at night, the chairman received a letter at Hackney, from Mr. Wood, inclosing the article thus altered, in point of expression only, and desired an immediate answer,

Whe-

Whether it was agreeable to the chairman's idea, as explained the preceding day ? This article being the same as seen in the preliminary laid before the public, was returned to Mr. Wood, exactly as received with a remonstrance in his letter in favour of the country powers, which was disregarded.

This, Sir, is the substance of what Mr. Rous delivered in vindication of his conduct ; and however clear and full it was then thought, and must now appear to a considering reader, who will connect and weigh the parts of it together, so as to form a true judgment of the whole ; yet, as it is of some length, and of a complicated nature, I think it would not be amiss, in your next paper, to throw together some general remarks on these transactions, not only as they relate to that gentleman's justification, but as they regard the interests of the company. I am,

S I R,

Your very humble servant,

A PROPRIETOR.

The North Briton will, with the greatest cheerfulness, comply with the request
of

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of his correspondent, and on Saturday next will not only consider the justification of a worthy individual, and the interest of a respectable company, but likewise dare (for what shall not truth dare?) to pay his most humble respects to the minister, together with his High and Mighty Agent, Mr. Wood.

THE
NORTH BRITON.

No. 46.

SATURDAY, November 12, 1763.

*Sed quanto ille magis formas se vertat in
omnes,*

Tanto, nate, magis contende tenacia vincla.

VIRG.

IT is not possible to imagine a more general satisfaction and more lively joy than appeared among all ranks of men in the beginning of the last spring, when our most excellent sovereign graciously condescended to gratify the wishes
of

of his people, by removing the Earl of Bute from the post of First Commissioner of the Treasury. England had long smarted under the most rapacious acts of oppression and tyranny, which were frequently, sometimes very wantonly, exercised by that insolent, over-bearing minister. A general confusion had been introduced into every department of the state; but the finances in particular, because that was the province he had peculiarly made his own, were almost ruined. The national faith, which had been so celebrated in former times, began to be held in contempt, and one of our allies made no scruple to upbraid our ministers with an absolute breach of repeated promises, and of solemn engagements. Public credit, even so early after this glorious Scottish peace, began to droop, and foreigners had already taken the alarm.

The public joy, at the removal of so corrupt and so incapable a minister, was very universal and sincere; but alas! the days of triumph, on an event which had so long been the object of our most ardent wishes, were few and clouded. The nation hoped, as the natural and immediate consequence, to have seen the restoration of Mr. Pitt, and of the great Whig families, the ancient and the only

real friends of the house of Brunswick. The public voice seemed to have reached the ear of the sovereign. It was not at first believed that only the name would have been changed, and that the administration of affairs could be entrusted to three known, hackneyed tools of that very minister, who were at one moment openly, at another with a little feint, to pursue the same system, the same unnational measures: yet, from a temporary despair, this soon became the case. *Res ad Triarios rediit.*

These three political *Horatii*, almost immediately after the removal of the Scot, obtained a pretty explicit declaration in their favour, and at once leagued together, not for the salvation, but for the plunder of the state, for the maintainance of their own power, and the securing to themselves, their relations, and even new-born babes, the most desirable possessions and reversions in the kingdom, in our conquests and our colonies. Not one of these men possessed, in the smallest degree, the affections, or even the good opinion of the people. They seemed content to bear the curses of their country, provided they could share among themselves the most lucrative offices of the state. The pride and insolence of
one

one of them, was never equalled by any of his countrymen, and had before made him as universally odious in private, as he soon became in public life. A savage disposition, and brutal manners, which early appeared in his juvenile pleasures, were joined in him to that spirit of despotism and cruelty, so characteristic of the whole Stuart line, the love of which his father, if he did not inculcate into his children, had yet carried with him quite through life. An ignorance scarcely to be credited, and a mulishness, which could never be conquered, rendered him the contempt of all, who were so unhappy as to be under a necessity of attending upon him——But he has paid the debt to nature, and is gathered to the dull of ancient days.——The other Lord has been said to concur very unwillingly in the prosecution of the same odious schemes: but the state of affairs at home, and the necessity of regular quarterly payments, drove him to an entire acquiescence with every measure prescribed.—As to the commoner, he was chosen, because he had gone through the several departments of government, was universally acknowledged to be the dullest and most laborious pack-ass of the state, and,

in his youth, had seen a little practice in law proceedings. He was therefore pitched upon to suggest the various modes of carrying into execution the many projected acts of oppression, and at the same time keeping just to the windward of the law, or within the letter of an act of parliament. He was the true author of the most grievous part of that cruel Act for the new excise on Cyder and Perry, by which the Excise officer has forced his way even into private houses, on this side the Tweed ; for such is the partiality of this tax, that it will affect only a few English counties, but not one Scottish. It must be owned, that no man was ever fitter for the business he undertook. He has no passions. A perfect apathy reigns in his breast, save that an overflowing of the gall is now and then a good deal troublesome to himself, though very little to any other person. He is incapable of pity, of remorse, or even humanity, and indeed, of all those fine feelings which men of more delicate mould, and lively parts, relish in so exquisite a degree. His constant gravity and solemn deportment were of real service ; for they impressed an idea of dignity and importance on the common beholder ; and his want of pas-
sions

sions gave him an opportunity of affecting a wonderful sanctity of morals.—
Tertius è cælo cecidit Cato.

Under such an administration, Is it at all surprising that our affairs at home are declining, and our glory abroad sullied? Some few changes have indeed been made; but have such men * been brought

* Of these men, the most infamous in every respect, was the E— of S——. He had passed his youth in so abandoned and profligate a manner, that, when he arrived at the middle age of life, he did not, in the opinion of the world, remain in possession of the smallest degree of virtue or honour. His conduct, with respect to women, was not only loose and barefaced, but perfidious, mean, and tricking. He was restrained by no considerations of private character, nor checked by any regard to public decorum. Frauds of the lowest nature, enforced by perjuries and falsehoods, were his only arts. With respect to men, he had early lost every sentiment of honour, and was grown exceedingly necessitous from the variety of his vices, as well as rapacious from the lust of gratifying them. Nature denied him wit, but gave him a species of buffoonery of the lowest kind, which was ridiculous in a man of fashion, and fit only for the dregs of the people. In business he was slow, tedious, and dull. He was sent, on the part of England, to conclude the general peace at Aix-la-Chapelle, in 1748; where he made such childish blunders, that an able and experienced minister was obliged to be sent from Vienna on purpose to do the business of the Plenipotentiary. The minister declared, on his arrival,

brought in as has had the confidence of the nation? I will venture to affirm that a more universal discontent never appeared among the people than at present. We were told, that by the late peace a full security was obtained for our American colonies. Is that the fact? The numbers of our fellow subjects basely murdered in the time of this profound glorious peace, give the lye to the flattering addressees of some vile hirelings in their mother country, and demand vengeance on the ministers, who have so scandalously neglected, and left in a state of insecurity, not only our new conquests,

that no one point of real importance had been settled. Even the usual and necessary forms of the ratifications of former treaties had been omitted, by which our greatest commercial advantages, particularly with Spain, would have been sacrificed. Since that period, to the present year, L---- S----- was laid aside, as totally unfit for any arduous or even serious business, nor has any thing of moment been, by any administration, trusted to him alone. Almost every good man having been forced out, or voluntarily left the present ministry, the seals of the Secretary of State of the Northern department, were put into his hands; and the nation, from that moment, saw that the administration were determined to aim a deadly blow at the vitals of liberty, and the English constitution; and therefore had pitched on the most profligate fellow of the age, for that most profligate attempt.

but

but our most valuable colonies. Those are made a prey to the rapacity of four hungry Scottish governors; these are left exposed to the barbarity of savages, whom the intrigues of our new friends, the French, and repeated injuries from our own people, have, at length, armed against us. As to the merit of three of these gentlemen, I am a perfect stranger: the demerit of the Governor of Quebec, the world has seen; for he had very nearly lost the most important conquest we made during the whole war; a conquest purchased with the blood of one of our first heroes, the immortal Wolfe. Among the variety of new measures, which this nation must ever deplore, the appointment of military men to civil governments is not the least to be lamented: a policy reserved for such puny politicians, as we have seen taken from the Cocoa and Arthur's, to make ministers of, and which is deservedly become the ridicule of all Europe. I will only further observe on this head, that the partiality of these appointments to every new government we have acquired, plainly marks the same hand so fatal and hostile to England, which instead of holding the fair balance, has, by violence and injustice, kept down one scale, and made the

other kick the beam. A Gazette so late as that of Saturday * the 8th of October, must convince every man, that even now Scottish influence is not at an end, and that all pretences of that kind, whether they are made by men in or out of power, are captious and delusive.

As to our affairs at home, I am free to declare that almost the only healthy symptom of the state seems to me the noble spirit exerted by our countrymen in the counties of Devon, Cornwall, &c. The summer has not passed in inglorious

* The King has been pleased to constitute and appoint the Honourable James Murray, Esq; to be his Majesty's Captain General and Governor in Chief in and over his Majesty's province of Quebec in America.

The King has been pleased to constitute and appoint James Grant, Esq; to be his Majesty's Captain General and Governor in Chief in and over his Majesty's province of East Florida in America.

The King has been pleased to constitute and appoint George Johnstone, Esq; to be his Majesty's Captain General and Governor in Chief in and over his Majesty's province of West Florida in America.

The King has been pleased to constitute and appoint Robert Melvill, Esq; to be his Majesty's Captain General and Governor in Chief in and over his Majesty's islands of Granada, the Grenadines, Dominico, St. Vincent, and Tobago in America; and of all other islands and territories adjacent thereto, and which now are, or heretofore have been dependant thereupon.

ease,

ease, neither in the West nor the South of this once happy island, and I trust that the holy flame of liberty, which has glow- ed in the hearts of many, will be caught by all the representatives of this free country. Parliaments are, by the con- stitution of our government, the guardians of liberty. Before them it is the duty of the people to lay their grievances, and it then equally becomes the duty of our representatives to redress them. I have therefore no doubt that very early in the ensuing session of parliament our country- men will be delivered from this new bon- dage of excise, the only badge of slavery, which this kingdom knows under the mild government of the most amiable of our princes. A British house of commons will ever be faithful to the great and important trust reposed in them by the collective body of the people; and when the sense of the nation is so clearly known, there ought surely to be no hesitation in any administration to conform to it. A neighbouring kingdom has very lately given us a proof of that constitutional spirit and love of freedom, which has ever distinguished those true and zealous Whigs. The Lord Lieutenant of Ire- land, by several leading passages in his speech to parliament, seemed servilely to

beg their approbation of the late peace. He vainly hoped that his sycophant court language would be echoed back in the address; but an honest house of commons there, greatly superior to all undue influence, would give no congratulation on such a peace, nor prostitute the words glorious, honourable, or adequate, to what has disgraced us to all the world. On the contrary, those generous sons of freedom, embarked in the same noble cause with ourselves, declare in an animated manner, that they cheerfully supported such heavy burthens during the continuance of the late successful war, and in the coldest way, but just mention the re-establishment of a general peace—The parliaments of France likewise have in the course of the summer set an example of freedom, which some other kingdoms would do well to imitate, and have presented such memorials as the freest state in Europe might be proud to own. They have not been afraid to declare that the piety, the honour, the justice of their King had been surprized, that his solemn promises, and sacred word, had been violated. They have dared to approach the throne with the boldest and most unwellcome truths, and have made bad ministers tremble. They have besides
drawn

drawn such faithful pictures of the extreme miseries of their bleeding country, as must confound our ministerial hirelings; and the various facts they mention demonstrate the total inability of France to continue the war. Her credit was entirely lost, and her marine annihilated. How she has since recruited, and in what a state of recovery her finances are, we must I fear too soon with anguish experience. This is the more to be lamented, because the public securities of this kingdom have fallen so low, that foreign nations begin to lose all opinion of that credit on whose broad basis our commerce arose, and encreased to a magnitude, which has raised the admiration and envy of all other states. The public funds in a very few months, in this early dawning of peace, have fallen above 14 per cent. England appears now in danger of ceasing to be the great mart, the centre, of the commerce and riches of the world, from the fluctuating state of her public credit. That beautiful and wondrous fabric, the work of ages, the pride and glory of Britain, as well as the jealousy of her most powerful neighbours, which has survived two desperate Scottish rebellions, seems at last doomed to fall a sacrifice to the incapacity and treachery of a set of men,

men, formerly the objects of the contempt and ridicule, now of the abhorrence and hatred of their country.

L. S. GEORGE MONTAGU DUNK,
 Earl of Halifax, Viscount Sun-
 bury, and Baron Halifax, one
 of the Lords of his Majesty's
 Most Honourable Privy Coun-
 cil, Lieutenant-General of his
 Majesty's Forces, Lord Lieute-
 nant General, and General Go-
 vernor of the Kingdom of Ire-
 land, and Principal Secretary of
 State, &c.

THESE are in his Majesty's name to authorize and require you, taking a constable to your assistance, to make strict and diligent search for Arthur Beardmore, the author or one concerned in the writing of several weekly very seditious papers, entitled the Monitor, or British Freeholder, No 357, 358, 360, 373, 376, 378, 379, and 380. London printed for J. Wilson, and J. Fell, in
 Pater-

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Pater-noster-row, which contain gross and scandalous reflections and invectives, upon his Majesty's government, and upon both Houses of Parliament; and him having found, you are to seize and apprehend, and to bring, together with his books and papers, in safe custody, before me, to be examined concerning the premises, and further dealt with according to law: In the due execution whereof, all mayors, sheriffs, justices of the peace, constables and all other, his Majesty's officers civil and military, and loving subjects whom it may concern, are to be aiding and assisting to you, as there shall be occasion. And for so doing this shall be your warrant. Given at St. James's the sixth day of November 1762 in the third year of his Majesty's reign.

DUNK HALIFAX.

To Nathan Carrington, James
Watson, Thomas Ardran, and
Robert Blackmore, four of his
Majesty's Messengers in Or-
dinary.

GEORGE

GEORGE MONTAGU DUNK, Earl
of Halifax, Viscount Sunbury,
and Baron Halifax, one of the
Lords of his Majesty's Most
L. S. Honourable Privy Council,
Lieutenant General of his Ma-
jesty's Forces, and Principal
Secretary of State.

THESE are in his Majesty's name to
authorize and require you, taking
a constable to your assistance to make
strict and diligent search for the authors,
printers and publishers of a seditious and
treasonable paper, entitled the North
Briton, No 45, Saturday April 23, 1763.
Printed for G. Kearsley, in Ludgate-
street, London; and them, or any of
them having found, to apprehend and
seize, together with their papers, and to
bring in safe custody, before me, to be
examined concerning the premises, and
further dealt with according to law: And
in the due execution thereof, all mayors,
sheriffs, justices of the peace, constables
and all other, his Majesty's officers civil
and military, and loving subjects whom
it may concern, are to be aiding and
assisting to you as there shall be occasion.
And

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And for so doing, this shall be your warrant. Given at St. James's the twenty-sixth day of April, in the third year of his Majesty's Reign.

Signed, DUNK HALIFAX.

Directed to Nathan Carrington,
John Money, James Watson,
and Robert Blackmore, four
of his Majesty's Messengers
in Ordinary.

CHARLES Earl of Egremont, and
GEORGE DUNK Earl of Halifax,
Lords of his Majesty's Most Honourable Privy Council, and Principal Secretaries of State,

THESE are in his Majesty's name to authorize and require you, to receive into your custody the body of John Wilkes, Esq; herewith sent you, for being the author and publisher of a most infamous and seditious libel, entitled the North Briton, No 45; tending to inflame the minds, and alienate the affections, of
the

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the people from his Majesty, and to excite them to traiterous insurrections against the government; and to keep him safe and close, until he shall be delivered by due course of law. And for so doing this shall be your warrant. Given at St. James's, the 30th day of April, 1763, in the third year of his Majesty's Reign.

Signed,

EGREMONT, L. S.

DUNK HALIFAX, L. S.

To the Right Honourable
John Lord Berkeley of
Stratton, Constable of
his Majesty's Tower of
London, or the Lieu-
tenant of the said
Tower, or his Deputy.

FROM

The NORTH BRITON. 161

FROM

The St. JAMES's CHRONICLE,

THURSDAY, May 5, 1763.

It is said that the following speech was made by John Wilkes, Esq; when he was brought to the bar of the Court of Common Pleas, on Tuesday the 3d of May.

My LORD,

I Feel myself happy to be at last brought before a court, and before judges, whose characteristic is the love of liberty. I have many humble thanks to return for the immediate order you were pleased to issue, to give me an opportunity of laying my grievances before you. They are of a kind hitherto unparalelled in this free country, and I trust the consequences will teach ministers of Scottish and arbitrary principles, that the liberty of an English subject is not to be sported away with impunity, in this cruel and despotic manner.

I am accused of being the author of the North Briton, No 45. I shall only
remark

remark upon that paper, that it takes all load of accusation from the sacred name of a prince, whose family I love and honour, as the glorious defenders of the cause of liberty, and whose personal qualities are so amiable, great, and respectable, that he is deservedly the idol of his people. It is the peculiar fashion and crime of these times, and of those who hold high ministerial offices in government, to throw every odious charge from themselves upon Majesty. The author of this paper, whoever he may be, has, upon constitutional principles, done directly the reverse, and is therefore in me, the supposed author, meant to be persecuted accordingly. The particular cruelties of my treatment, worse than if I had been a Scottish Rebel, this court will hear, and I dare say, from your justice, in due time redress.

I may perhaps still have the means left me, to shew that I have been superior to every temptation of corruption. They may indeed have flattered themselves that when they found Corruption could not prevail, Persecution might intimidate. I will shew myself superior to both. My Papers have been seized, perhaps with a hope the better to deprive me of that proof of their meanness, and corrupt pro-

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prodigality, which it may possibly, in a proper place, be yet in my power to give.

The court, after very long debates, adjourned to Friday May 6, and Mr. Wilkes was remanded back to the Tower.

F R O M

The St. JAMES's CHRONICLE.

SATURDAY, May 7, 1763.

Yesterday John Wilkes, Esq; lately committed a close prisoner to the Tower of London, by a warrant of commitment from the SECRETARIES of STATE, was again brought up to the bar of the court of Common Pleas, where (as soon as the court was seated) he is said to have made the following speech:

My LORD,

“ F AR be it from me to regret that I
“ have passed so many more days in
“ Captivity, as it will have afforded you
“ an opportunity of doing, upon mature
“ reflection, and repeated examination,
“ the

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“ the more signal justice to my Country.
 “ The Liberty of all peers and gentle-
 “ men, and what touches me more
 “ sensibly, of all the middling and in-
 “ ferior class of the people, which stands
 “ most in need of protection, is in my
 “ case this day to be finally decided; up-
 “ on a question of such importance as
 “ to determine at once, whether English
 “ Liberty be a reality or a shadow! Your
 “ own freeborn hearts will feel with in-
 “ dignation and compassion all that load
 “ of Oppression under which I have so
 “ long laboured. Close Imprisonment,
 “ the effect of premeditated malice; all
 “ access for more than two days denied
 “ to me; my house ransacked and plun-
 “ dered; my most private and secret
 “ concerns divulged; every vile and
 “ malignant insinuation, even of high
 “ treason itself, no less industriously,
 “ than falsely circulated, by my cruel
 “ and implacable enemies, together with
 “ all the various insolence of office, form
 “ but a part of my unexampled ill treat-
 “ ment. Such unhuman principles of
 “ Star-Chamber tyranny, will, I trust,
 “ by This Court, upon this solemn
 “ occasion, be finally extirpated, and
 “ henceforth every innocent man, how-
 “ ever poor and unsupported, may hope
 “ to

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“ to sleep in peace and security, in his
“ own house, unviolated by King’s Mes-
“ sengers, and the arbitrary mandates of
“ an overbearing Secretary of State.

“ I will no longer delay Your Justice.
“ The nation is impatient to hear, nor
“ can be safe or happy, till that is ob-
“ tained. If the same persecution is after
“ all to carry me before another court,
“ I hope I shall find, that the genuine
“ spirit of Magna Charta, that glorious
“ inheritance, that distinguishing charac-
“ teristic of Englishmen, is as religiously
“ revered There, as I know it is Here,
“ by the great personages, before whom
“ I have now the happiness to stand; and
“ (as in the ever memorable case of the
“ imprisoned Bishops) that an indepen-
“ dent Jury of Free-Born Englishmen
“ will persist to determine my fate, as in
“ conscience bound, upon constitutional
“ principles, by a verdict of Guilty or
“ Not Guilty. I ask no more at the
“ hands of my Countrymen.”

After which the court proceeded to give their opinion; and Mr. Wilkes was ordered to be Discharged. He then addressed himself, as we are informed, to the court in the words following :

My

My LORD,

“ GREAT as my joy must naturally
 “ be at the decision which This
 “ Court, with a true Spirit of Liberty,
 “ has been pleased to make, concerning
 “ the unwarrantable seizure of my per-
 “ son, and all the other consequential
 “ grievances, allow me to assure You,
 “ that I feel it far less sensibly on my own
 “ account, than I do for The Public.
 “ The sufferings of an individual are a
 “ trifling object, when compared with
 “ the Whole, and I should blush to feel
 “ for Myself in comparison with conside-
 “ rations of a nature so Transcendently
 “ Superior.

“ I will not trouble you with my poor
 “ thanks—Thanks are due to you from
 “ the whole English nation, and from all
 “ the subjects of the English Crown.
 “ They will be paid you, together with
 “ every testimony of zeal and affection to
 “ the Learned * Serjeant, who has so
 “ Ably, and so Constitutionally pleaded
 “ my cause, and in mine (with pleasure
 “ I say it) The Cause of Liberty. Every
 “ testimony of my gratitude is justly due

* Serjeant Glynn.

“ to

“ to You, and I take leave of This Court
“ with a veneration and respect, which
“ no time can obliterate, nor can the
“ most grateful heart sufficiently express.”

A SPEECH, said to have been made by
John Wilkes, Esq; on the first Day of
the Session, Nov. 15, 1763.

Mr. SPEAKER,

I Think it my duty to lay before the
house a few facts, which have occurred
since our last meeting, because in my
humble opinion, which I shall always
submit to this house, the rights of all the
commons of England, and the privileges
of Parliament, have in my person been
highly violated. I shall at present con-
tent myself with barely stating the facts,
and leave the mode of proceeding to the
wisdom of the house.

On the 30th of April, in the morning,
I was made a prisoner in my own house
by some of the King's messengers. I
demanded by what authority they forced
their way into my room, and was shewn
a warrant in which no person was named
in particular, but generally the authors,
printers, and publishers, of a seditious
and

and treasonable paper, entitled the North Briton, No 45. The messengers insisted on my going before Lord Halifax, which I absolutely refused, because the warrant was, I thought, illegal, and did not respect me. I applied by my friends to the court of Common Pleas for a Habeas Corpus, which was granted, but as the proper office was not then open, it could not immediately issue. I was afterwards carried by violence before the Earls of Egremont and Halifax, whom I informed of the orders given by the court of Common Pleas, for a Habeas Corpus, and when I was ordered into another apartment, I enlarged a good deal upon this subject to Mr. Webb, the solicitor of the Treasury. I was however hurried away to the Tower by another warrant, which declared me the author and publisher of a most infamous and seditious libel, entitled the North Briton, No 45. The word treasonable was dropp'd, yet I was detained a close prisoner, and no person was suffered to come near me for almost three days, although my council and several of my friends demanded admittance, in order to concert the means of recovering my liberty. My house was plundered, my bureaux broke open by order of two of your members, Mr. Wood

and

and Mr. Webb, and all my papers carried away. After six day imprisonment, I was discharged by the unanimous judgment of the court of Common Pleas, that the privilege of this house extended to my case. Notwithstanding this solemn decision of one of the King's superior courts of justice, a few days after I was served with a Subpœna upon an information exhibited against me in the King's Bench. I lost no time in consulting the best books as well as the greatest living authorities, and from the truest judgment I could form, I thought that the serving me with the Subpœna was another violation of the privileges of Parliament, which I will neither desert nor betray, and therefore I have not yet entered an appearance.

I now stand in the judgment of the house, submitting with the utmost deference the whole case to their justice and wisdom, and beg leave to add, that if, after this important business has in its full extent been maturely weighed, you shall be of opinion that I am entitled to privilege, I shall then be not only ready, but eagerly desirous to wave that privilege, and to put myself upon a Jury of my countrymen.

Journals of the HOUSE of COMMONS.

Vol. IX. page 697.

Lunæ, 3^o die Januarii, 1680.

Articles of Impeachment of Sir William Scroggs Knight, Chief-Justice of the Court of King's Bench, by the Commons, in this present Parliament assembled, in their own Name, and in the Name of all the Commons in England, of High-Treason, and other great Crimes and Misdemeanors.

—SIXTHLY, That he the said Sir William Scroggs, in farther oppression of his Majesty's liege-people, hath, since his being made chief-justice of the said court of King's Bench, in an arbitrary manner, granted divers General Warrants, for attaching the persons, and seizing the goods of his Majesty's subjects, Not Named or Described Particularly in the said Warrants; by means whereof, many of his Majesty's subjects have been vexed, their houses entered into, and they themselves grievously oppressed, contrary to law.

Mer-

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Mercurii, 5^o die Januarii, 1680.

THE House then, according to their order, resumed the adjourned debate touching the articles of impeachment delivered in to the house, against Sir William Scroggs, Knight, chief justice of the court of King's Bench.

The sixth of the said articles being read, Resolved, *nemine contradicente*, That the said Sir William Scroggs, be impeached upon the said article.

F R O M

The St. JAMES's CHRONICLE.

TUESDAY, May 24, 1763.

Q U E R I E S.

Qu. 1. **W**HETHER the apprehension of Mr. Wilkes, under a warrant without oath, and without name, is not illegal?

Qu. 2. Whether in either of the warrants, which have been issued, the usual and necessary word False, is to be found among the epithets applied to the
I 2 sup-

supposed libel, No 45 of the North Briton?

Qu. 3. Whether every disingenuous and unfair method was not employed by the secretaries of state to elude the effect of the first Habeas Corpus?

Qu. 4. Whether the commitment of Mr. Wilkes to the Tower for aailable offence, and yet for above two days preventing any person from having access to him, was not depriving him of all possibility of offering bail, and is not therefore a direct act of oppression, and a violation of the laws of England?

Qu. 5. Whether the council, relations, and friends, of the Lords Lovat, Kilmarnock, Cromartie, Balmerino, &c. committed to the Tower for high treason, were not from the first moment admitted to them?

Qu. 6. Whether the first warrant, under which Mr. Wilkes's person was seized, his house rifled, his locks broke open, and his papers carried off, is not universally allowed to be arbitrary and tyrannical?

Qu. 7. Whether (except in cases of high treason) the papers of any English subject ought ever to be seized, and whether all apparent proof being believed to be deficient, this is not to be deemed

a most odious method of fishing for evidence?

Qu. 8. Whether Mr. Wilkes did not from the first rest his case on the universal liberty of the subject, and not on privilege only?

Qu. 9. Whether the many prosecutions now carrying on by Mr. Wilkes at so great an expence, bear the least relation to privilege, and whether they are not clearly in vindication of the liberty, property, domestic quiet, and security of every Englishman?

Qu. 10. Whether Mr. Wilkes was admitted to see any one of his accusers, and whether there is yet any accusation on oath against him, relative to the North Briton, No 45?

Qu. 11. Whether Mr. Wilkes has not been treated as guilty, though justice as well as candour would yet pronounce him innocent, the law of England never presuming guilt?

Qu. 12. Whether sureties of the peace have been demanded or taken from any of the persons supposed to have been concerned in the North Briton, No 45?

Qu. 13. Whether in all cases of Breach of the peace, the subject has not a right to be discharged from his confinement

finement upon giving sureties of the peace, and whether a member of parliament can be discharged, without giving them, if demanded?

Qu. 14. Whether every subject of England is not interested in the preservation of the privileges of parliament, the house of commons being the guardians of the liberties of the people against the despotism of ministers?

Qu. 15. Whether the privileges of parliament have not been extorted from former Kings, and whether they have not ever been considered as the firmest barrier of the English nation against the encroachment of the crown, when unhappily under the influence of an arbitrary minister?

Qu. 16. Whether any one fact reflecting upon Mr. Wilkes's private character has been yet ascertained, and whether (as in the Winchester falsehood of Lord Bute's son) any proof whatever has been brought to support the infamous calumnies, so industriously propagated against Mr. Wilkes?

Qu. 17. Whether it be not the clear language of the constitution, that the King can do no wrong, but that some minister is responsible for the exercise of all the

the royal functions, peace, war, and even the darling attribute of mercy, not exempted?

Qu. 18. Whether the King's Speech has not at all times been advised and made by ministers, and whether it is not the language of every constitution, that good Kings may be imposed upon by bad Ministers?

Qu. 19. Whether the Liberty of the Press, which is always deemed the bulwark of our liberties, can subsist, if there be a privileged vehicle of fallacy?

Qu. 20. Whether in the North Briton, No 45, there appears the least intention of villifying the secret dignity of Royalty, and whether the whole charge is not pointed against administration—contrary to the opinion of royalty itself—a Prince of so many great and amiable qualities, whom England truly reveres—the personal character of our present amiable sovereign makes us easy and happy, that so great a power is lodged in such hands?

Standing order of the House of Lords,
April 18, 1626.

THE privilege of the House is, that no Lord of Parliament, sitting in parliament, or within the usual times of privilege of parliament, is to be imprisoned or restrained, without sentence or order of the House, unless it be for treason, or felony, or for refusing to give security for the Peace.

Standing order of the House of Commons,
* June 1, 1621, 19 Jac.

ORDERED upon Question, That if any arrest, or any distress of goods, serving any process, summoning his lands, citation, or summoning his person, suing him in any court, or breaking any other privilege of this House, a letter shall issue under Mr. Speaker's hands for the party's relief therein, as if the parliament was sitting; and the party refusing to obey it, to be censured at the next [access.]

* Journals, Vol. I. p. 634.

A

P R O T E S T.

Die Martis 29^o Novembris, 1763.

THE Order of the day for resuming the adjourned consideration of the report of the conference with the Commons on Friday last being read, the third resolution of the Commons was read as follows :

Resolved, by the Commons in Parliament assembled,

That privilege of Parliament does not extend to the case of writing and publishing seditious libels, nor ought to be allowed to obstruct the ordinary course of the laws, in the speedy and effectual prosecution of so heinous and dangerous an offence.

And it being moved to agree with the Commons in the said resolution, the same was objected to.

After long debate thereupon, the question was put,

Whether to agree with the Commons in the said resolution ? It was resolved in the affirmative.

Dissentient.

Because we cannot hear without the utmost concern and astonishment, a doctrine advanced now for the first time in this House, which we apprehend to be new, dangerous, and unwarrantable, viz. That the personal privilege of both Houses of Parliament has never held, and ought not to hold, in the case of any criminal prosecution whatsoever ; by which all the records of parliament, all history, and all the authorities of the gravest and soberest judges are entirely rescinded ; and the fundamental principles of the constitution, with regard to the independance of parliament, torn up and buried under the ruins of our most established rights.

We are at a loss to conceive, with what view such a sacrifice should be proposed, unless to amplify, in effect, the jurisdiction of the inferior, by annihilating the ancient immunities of this superior court.

The very question itself proposed to us from the Commons, and now agreed to by the Lords, from the letter and spirit of it, contradicts this assertion ; for whilst it only narrows privilege in criminal matters, it establishes the principle. The law
of

of privilege, touching imprisonment of the persons of Lords of Parliament, as stated by the two standing orders, declares generally, That no Lord of Parliament, sitting the Parliament, or within the usual times of privilege of Parliament, is to be imprisoned or restrained without sentence or order of the House, unless it be for treason or felony, or for refusing to give security for the peace, and refusal to pay obedience to a writ of Habeas Corpus.

The first of these orders was made after long consideration, upon a dispute with the King, when the precedents of both Houses had been fully inspected, commented upon, reported and entered in the journals, and after the King's council had been heard. It was made in sober times, and by a house of peers not only loyal, but devoted to the crown, and it was made by the unanimous consent of all, not one dissenting. These circumstances of solemnity, deliberation and unanimity, are so singular and extraordinary, that the like are scarce to be found in any instance among the records of Parliament.

When the two cases of surety for the peace, and Habeas Corpus come to be
well

well considered, it will be found that they both breath the same spirit, and grow out of the same principle.

The offences that call for surety and Habeas Corpus, are both cases of present continuing violence, the proceedings in both have the same end, viz. to repress the force, and to disarm the offender.

The proceeding stops in both, when that end is attained ; the offence is not prosecuted nor punished in either ; the necessity is equal in both, and if privilege was allowed in either, so long as the necessity last, a Lord of Parliament would enjoy a mightier prerogative than the crown itself is intitled to. Lastly, They both leave the prosecution of all misdemeanors still under privilege, and do not derogate from that great fundamental, that none shall be arrested in the course of prosecution for any crime under treason and felony.

These two orders comprise the whole law of privilege, and are both of them standing orders, and consequently the fixed laws of the house, by which we are all bound, until they are duly repealed.

The resolution of the other house now agreed to, is a direct contradiction to the
rule

rule of parliamentary privilege, laid down in the aforesaid standing orders, both in letter and spirit. Before the reasons are stated, it will be proper to premise two observations ;

First, That in all cases where security of the peace may be required, the Lord cannot be committed till that security is refused, and consequently the magistrate will be guilty of a breach of privilege if he commits the offender, without demanding that security.

Secondly, Although the security should be refused, yet if the party is committed generally, the magistrate is guilty of a breach of privilege, because the party refusing, ought only to be committed till he has found sureties ; whereas by a general commitment he is held fast, even though he should give sureties, and can only be discharged by giving bail for his appearance.

This being premised, the first objection is to the generality of this resolution, which, as it is penned, denies the privilege to the supposed libeller, not only where he refuses to give sureties, but likewise throughout the whole prosecution from the beginning to the end ; so that, although he should submit to be bound, he may notwithstanding, be afterwards

terwards arrested, tried, convicted and punished, sitting the Parliament, and without leave of the house, wherein the law of privilege is fundamentally misunderstood, by which no commitment whatsoever is tolerated, but that only, which is made upon the refusal of sureties, or in the other excepted cases, of treason or felony, and the Habeas Corpus.

If privilege will not hold throughout in the case of a seditious libel, it must be because that offence is such a breach of the peace, for which sureties may be demanded ; and if that be so, it will readily be admitted, that the case comes within the exception, “ provided always that “ sureties have been refused, and that “ the party is committed only, till he “ shall give sureties.”

But first, this offence is not a breach of the peace, it does not fall within any definition of a breach of the peace given by any of the good writers upon that subject, all which breaches from menace to actual wounding, either alone or with a multitude, are described to be acts of violence against the persons, goods, or possessions, putting the subject in fear by blows, threats, or gestures ; nor is this case of the libeller ever enumerated in any of these writers among the breaches of peace ;

peace; on the contrary, it is always described as an act tending to excite, provoke, or produce breaches of the peace; and although a Secretary of State may be pleased to add the inflaming epithets of treasonable, traitorous, or seditious, to a particular paper; yet no words are strong enough to alter the nature of things. To say then, that a libel, possibly productive of such consequence, is the very consequence so produced, is in other words to declare, that the cause and the effect are the same thing.

Secondly, But if a libel could possibly, by any abuse of language, or has any where been called inadvertently a breach of the peace, there is not the least colour to say, that the libeller can be bound to give sureties for the peace, for the following reasons:

Because none can be so bound, unless he be taken in the actual commitment of a breach of the peace; striking or putting some one or more of his Majesty's subjects in fear:

Because there is no authority, or even ambiguous hint in any law book, that he may be so bound:

Because no libeller, in fact, was ever so bound:

Because

Because no crown lawyer, in the most despotic times, ever insisted he should be so bound, even in days when the press swarmed with the most invenomed and virulent libels, and when the prosecutions raged with such uncommon fury against this species of offenders ; when the law of libels was ransacked every term, when loss of ears, perpetual imprisonment, banishment and fines of ten and twenty thousand pounds, were the common judgments in the Star-Chamber, and when the crown had assumed an uncontrollable authority over the press.

Thirdly, This resolution does not only infringe the privilege of parliament, but points to the restraint of the personal liberty of every common subject in these realms, seeing that it does in effect affirm that all men, without exception, may be bound to the peace for this offence.

By this doctrine every man's liberty, privileged as well as unprivileged, is surrendered into the hands of a Secretary of State ; he is by this means impowered in the first instance, to pronounce the paper to be a seditious libel, a matter of such difficulty, that some have pretended, it is too high to be intrusted to a special jury of the first rank and condition ; he is to understand and decide by himself, the
mean-

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meaning of every inuendo ; he is to determine the tendency thereof, and brand it with his own epithets ; he is to adjudge the party guilty, and make him author or publisher, as he sees good : and lastly, he is to give sentence by committing the party.—All these authorities are given to one single magistrate, unassisted by council, evidence, or jury, in a case where the law says, no action will lie against him, because he acts in the capacity of a judge.

From what has been observed, it appears to us, that the exception of a seditious libel from privilege, is neither founded on usage, or written precedents ; and therefore this resolution is of the first impression ; nay, it is not only a new law, narrowing the known and antient rule, but it is likewise a law *ex post facto, pendente lite, et ex parte*, now first declared to meet with the circumstances of a particular case ; and it must be further considered, that this house was thus called upon to give a sanction to the determinations of the other, who have not condescended to confer with us upon this point, till they had prejudged it themselves.

This method of relaxing the rule of privilege, case by case, is pregnant with
this

this farther inconvenience, that it renders the rule precarious and uncertain ; who can foretel where the house will stop, when they have, by one infringement of their own standing orders, made a precedent, whereon future infringements may, with equal reason, be founded ? How shall the subject be able to proceed with safety in this perilous business ? how can the judges decide on these or the like questions, if privilege is no longer to be found in records, and journals, and standing orders. Upon any occasion privileges may be enlarged, and no court will venture for the future without trembling either to recognise or deny it.

We manifestly see this effect of excluding by a general resolution, one bailable offence from privilege to day, that it will be a precedent for doing so by another upon some future occasion, till instead of privilege holding in every case not excepted, it will at last come to hold in none, but such as are expressly saved.

When the case of the Habeas Corpus is relied upon, as a precedent to enforce the declaration, the argument only shews that the mischief aforementioned has taken place already, since one alteration, though a very just one, not at all applicable to the present question, is produced.

ced to justify another, that is unwarrantable.

But it is strongly objected, that if privilege be allowed in this case, a Lord of Parliament might endanger the constitution by a continual attack of successive libels; and if such a person should be suffered to escape under the shelter of privilege, with perpetual impunity, all government would be overturned; and therefore it is expedient to allow the privilege now, when the time of privilege, by prorogations, is continued for ever without an interval.

This objection shall be answered in two ways.

First, If inexpediency is to destroy personal privilege in this case of a seditious libel, it is at least as inexpedient, that other great misdemeanors should stand under the like protection of privilege; neither is it expedient, that the smaller offences should be exempt from prosecution in the person of a Lord of Parliament; so that if this argument of inexpediency is to prevail, it must prevail throughout, and subvert the whole law of privilege in criminal matters; in which method of reasoning there is this fault, that the argument proves too much.

If

If this inconvenience be indeed grievous, the fault is not in the law of privilege, but in the change of times, and in the management of prorogations by the servants of the crown, which are so contrived, as not to leave an hour open for justice. Let the objection nevertheless be allowed in its utmost extent, and then compare the inexpediency of an immediately prosecuting on one side, with the inexpediency of stripping the Parliament of all protection from privilege on the other. Unhappy as the option is, the public would rather wish to see the prosecution for crimes suspended, than the Parliament totally unprivileged; although notwithstanding this pretended inconvenience is so warmly magnified upon the present occasion, we are not apprised that any such inconvenience has been felt, though the privilege has been enjoyed time immemorial.

But the second and best answer, because it removes all pretence of grievance, is this; That this house, upon complaint made, has the power, which it will exert in favour of justice, to deliver up the offender to prosecution.

It is a dishonourable and an undeserved imputation upon the Lords to suppose, even in argument, that they would
nourish

nourish an impious criminal in their bosoms against the call of offended justice, and the demand of their country.

It is true however, and it is hoped that this house will always see (as every magistrate ought, that does not betray his trust) that their member is properly charged; but when that ground is once laid, they would be ashamed to protect the offender one moment; surely this trust (which has never yet been abused) is not too great to be reposed in the high court of Parliament; while it is lodged there, the public justice is in safe hands, and the privilege untouched: whereas, on the contrary, if, for the sake of coming at the criminal at once, without this application to the house, personal privilege is taken away, not only the offender, but the whole Parliament at the same time is delivered up to the crown.

It is not to be conceived, that our ancestors, when they framed the law of privilege, would have left the case of a seditious libel (as it is called) the only unprivileged misdemeanor. Whatever else they had given up to the crown, they would have guarded the case of supposed libels above all others with privilege, as being most likely to be abused by outrageous and vindictive prosecutions.

But

But this great privilege had a much deeper reach, it was wisely planned, and hath hitherto, through all times, been resolutely maintained.

It was not made to screen criminals, but to preserve the very being and life of Parliament ; for when our ancestors considered, that the law had lodged the great powers of arrest, indictment, and information in the crown, they saw the Parliament would be undone, if, during the time of privilege, the royal process should be admitted in any misdemeanor whatsoever ; therefore they expected none. Where the abuse of power would be fatal, the power ought never to be given ; because redress comes too late.

A Parliament under perpetual terror of imprisonment, can neither be free nor bold, nor honest ; and if this privilege was once removed, the most important question might be irrecoverably lost, or carried by a sudden irruption of messengers, let loose against the members half an hour before the debate.

Lastly, As it has already been observed, the case of supposed libels is, of all others, the most dangerous and alarming, to be left open to prosecution, during the time of privilege.

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If the feverity of the law touching libels, as it hath sometimes been laid down, be duly weighed, it must strike both Houses of Parliament with terror and dismay.

The repetition of a libel, the delivery of it unread to another, is said to be a publication; nay, the bare possession of it has been deemed criminal, unless it is immediately destroyed or carried to a magistrate.

Every Lord of Parliament then, who hath done this, who is falsely accused, nay, who is, though without any information, named in the Secretary of State's warrant, has lost his privilege by this resolution, and lies at the mercy of that enemy to learning and liberty, the messenger of the press.

For these, and many other forcible reasons, we hold it highly unbecoming the dignity, gravity, and wisdom of the House of Peers, as well as their justice, thus judicially to explain away and diminish the privilege of their persons, founded in the wisdom of ages, declared, with precision in our standing orders, so repeatedly confirmed, and hitherto preserved inviolable by the spirit of our ancestors, called to it only by the other house,

house, on a particular occasion, and to serve a particular purpose, *ex post facto*, *ex parte et pendente lite*, in the courts below.

TEMPLE,
BOLTON,
GRAFTON,
CORNWALLIS,
PORTLAND,
BRISTOL,
DEVONSHIRE,
SCARBOROUGH,
DACRE,

ABERGAVENNY,
FRED. LICHT. COV.
ASHBURNHAM,
FORTESCUE,
GRANTHAM,
WALPOLE,
PONSONBY,
FOLKESTONE.

END of the Third Volume.



